















# HISTORY

OF

## SACO AND BIDDEFORD,

WITH NOTICES OF OTHER

### *EARLY SETTLEMENTS,*

AND OF THE

Proprietary Governments,

IN MAINE,

INCLUDING THE PROVINCES OF

NEW SOMERSETSHIRE AND LYGONIA.

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BY GEORGE FOLSOM.

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SACO:

PRINTED BY ALEX. C. PUTNAM.  
1830.



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DISTRICT OF MAINE, *to wit* :

*District Clerk's Office.*

BE IT REMEMBERED, that on the thirtieth day of April, A.  
D. 1830, in the fifty-fourth year of the Independence of the  
UNITED STATES OF AMERICA, *George Folsom*, of the said  
district, has deposited in this office the title of a book, the  
right whereof he claims as proprietor, in the words following, *to wit* :

“A History of Saco and Biddeford, with notices of other Early  
Settlements, and of the Proprietary Governments in Maine, including  
the Provinces of New Somersetshire and Lygonia. By *George Folsom*.”

In conformity to the act of the Congress of the United States, entitled “An Act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned ;” and also to an act entitled “An Act supplementary to an act entitled, ‘an act for the encouragement of learning, by securing the copies of maps, charts and books to the authors and proprietors of such copies during the times therein mentioned ;’ and extending the benefits thereof to the arts of designing, engraving and etching historical and other prints.”

*J. MUSSEY, Clerk of the District of Maine.*

## ADVERTISEMENT.

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The materials for the greater part of the present volume have been gathered from unpublished and forgotten documents. Wherever the writer has derived aid from the labors of others, he has acknowledged the obligation by a reference to their pages. Unfortunately the settlements in Maine have been almost wholly neglected by New England historians. Until the publication of Gov. Sullivan's work, there was nothing found relating to them, except a few scattered notices in the earlier writers. The attempt of that distinguished gentleman to embody the history of his native District, in the midst of his numerous and important avocations, is honorable to his memory, and merits the gratitude of the people of Maine. It is a subject of regret, however, that in connection with so much valuable research, numerous errors of the transcriber, or the press, escaped the author, as well as others occasioned by a deficiency of materials, or a hasty examination of ancient records and documents. This circumstance renders the work an unsafe guide, and leaves the inquirer without the means of obtaining a satisfactory knowledge of the early history of Maine, unless he has recourse to original papers. There seemed thus to exist a necessity for presenting in the following pages a sketch of the old provincial jurisdictions under which the towns successively passed, which has accordingly been attempted.

The writer gratefully acknowledges the important aid which he has received in the prosecution of his inquiries, from gentlemen whose official situations have enabled

them to render it. He is particularly indebted to EDWARD D. BANGS, Esq. Secretary of Massachusetts ; JEREMIAH GOODWIN, Esq. Register of Deeds, and JEREMIAH BRADBURY, Esq. Clerk of the Courts, in York County.

His thanks are likewise due to JAMES GRAY and EDMUND COFFIN, Esquires, clerks of Saco and Biddeford, for the friendly manner in which they have afforded access to the records in their possession. To various individuals of both towns he is indebted for the use of private papers, and the communication of facts, contributing to the local interest of the work.

In reference to ancient inhabitants of the towns who removed from or to other parts of New England, the writer has relied on the abundant information of Messrs. JOHN FARMER, of Concord, N. H. and JOSHUA COFFIN, of Newbury, Mass. to whom he is under great obligations for kindly according the assistance desired from time to time.

The feelings with which the writer dismisses his humble pages, are happily expressed in the following preliminary passage from a work to which the remarks are certainly far less applicable than to the present.

“To please all sorts of readers, I know is impossible : he, who writes with such hopes, is a stranger to human nature, and will be infallibly disappointed. My design is rather to inform than please. He, who delights only in pages shining with illustrious characters, the contentions of armies, the rise and fall of empires, and other grand events, must have recourse to the great authors of antiquity. A detail of the little transactions, which concern a colony, scant in its jurisdiction, and still struggling with the difficulties naturally attending its infant state, to gen-

plemen of this taste can furnish no entertainment. The ensuing narrative (for it deserves not the name of a history, though for brevity's sake I have given it that title) presents us only a regular thread of simple facts ; and even those unembellished with reflexions, because they themselves suggest the proper remarks ; and most readers will, doubtless, be best pleased with their own."

Saco, 30 April, 1830.





## *SUMMARY OF THE CHAPTERS.*

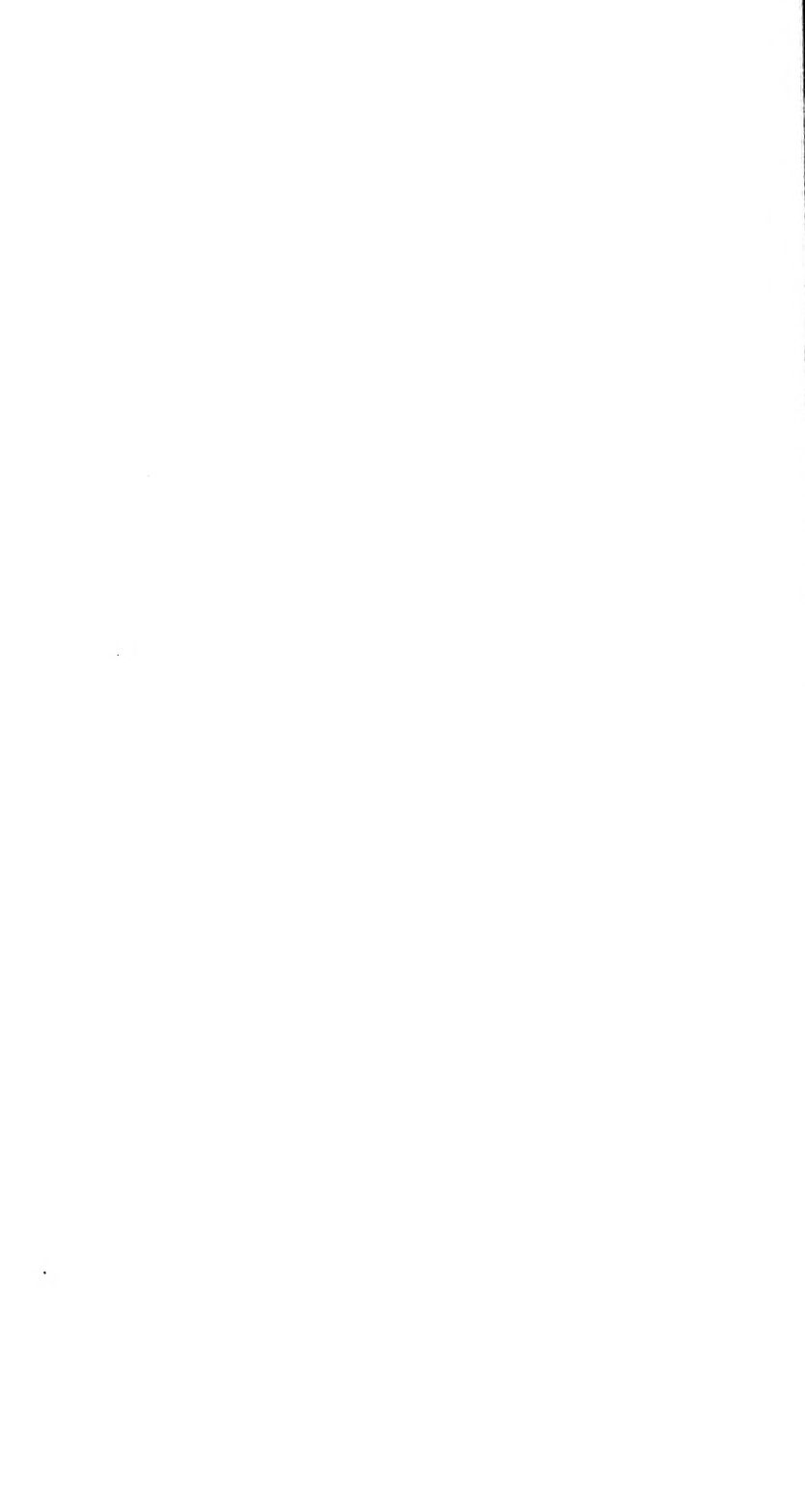


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# HISTORY

OF

## *SACO AND BIDDEFORD.*

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### PART FIRST.

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#### CHAPTER I.

THE discovery of New England may be justly ascribed to Bartholomew Gosnold, an enterprising and intelligent navigator, who in the year 1602, performed a voyage to this part of North America, before unknown to the civilized world. The Cabots had indeed sailed along the whole coast of the United States as early as 1497, but without setting foot on any part of it.\* During the succeeding century, the discovery of the river St. Lawrence, and a partial exploration of the coasts of Virginia and Florida, in the course of a few unsuccessful attempts to plant colonies in that quarter, comprised nearly all that was contributed towards a further knowledge of North America. At the period of Gosnold's voyage, no permanent settlement had been made by civilized nations north of the Spanish province of Mexico; from Florida to Greenland, says an accurate writer, not one European family could be found.† Although the discovery of the

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\*Rees' Cyclop. Art. America. †Prince N. E. Chronology. 1.

New world seems to have been at first duly appreciated in Europe, where it was proclaimed as the most remarkable event of the age, the North American continent was thus suffered to remain unoccupied, and for the most part unexplored, for more than a century after its existence was made known.

Gosnold had sailed to Virginia in the service of Sir Walter Raleigh by the old and circuitous route of the Canary isles and the West Indies. The voyage of 1602 was undertaken to prove that a shorter and more direct course to America was practicable. On the 26 March in that year, he set sail from Falmouth in a small vessel, accompanied by a few adventurers who embarked with the design of forming a colony in Virginia. The first land they discovered after a passage of seven weeks, was in latitude about forty three degrees north; and is supposed to have been some part of Maine. It has even been said that they landed on our coast, but this statement is believed to be incorrect. Continuing their course to the south, they discovered the southern shore of Massachusetts and disembarked on an adjacent island, called by them Elizabeth island, a name it retains to this day. Here they remained six weeks, visited the neighboring shore, and trafficked with the natives. The colonists made preparations for a permanent abode; built a storehouse and fort, the remains of which may be still seen\*; but on more mature deliberation, being ill supplied with the means of subsistence and of defence against the natives, should they prove hostile, they relinquished this design and all returned to England. Beside accomplishing the chief object of his voyage, by marking out a course nearly one third shorter than that which had been hitherto pursued†, Gosnold awakened the spirit of enterprise in England by favorable representations of the country he had accidentally discovered. Several of the adventurers who accompanied him, after their return published glowing descriptions of the fertility and delightful aspect of

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\*Belkn. Am. Biog. II. 115. †Robertson's America. book IX § 29

these northern shores. "From the island," says one of them,\* "we went right over to the mayne, where we stood a while as ravished at the beautie and dilicacy of the sweetnesse, besides divers cleare lakes whereof we saw no end, and meadows very large and full of greene grasse, &c." They sowed several kinds of grain by way of experiment, which "in 14 days sprung up 9 inches." Among the spontaneous productions of the soil were "ground nuts as big as egges, as good as Potatoes, and 40 on a string, not two ynches under ground."

A country invested with so many charms, did not fail to captivate the imaginations of many adventurers. The shortness of the voyage also furnished an inducement to new enterprises in the same direction. Through the influence of Richard Hakluyt, a clergyman of Bristol, already distinguished by his labors for the advancement of geographical knowledge, the corporation and merchants of that city engaged to fit out two vessels for the further discovery of the country, which now received the name of North Virginia. These vessels, one of which was a ship of fifty tons, the other a bark of twenty six tons burthen, sailed from Bristol April 10, 1603, under the command of Martin Pring, who took for his pilot a man that had been with Gosnold the year before. Early in June they arrived on the coast of Maine, called by the natives MAVOSHEN, and harbored among the islands of Penobscot bay. Thence sailing towards the south and passing all the islands as far as the western part of Casco bay, they soon after entered four inlets which are thus described in the journal of the voyage :

"The most easterly was barred at the mouth, but having passed over the bar we ran up it for five miles, and for a certain space found very good depth. Coming out again as we sailed southwest, we lighted on two other inlets, which we found to pierce not far into the land. The fourth and most westerly was the best, which we rowed up ten or twelve miles. In all these places we found no people, but signs of fires where they had been."†

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\*John Brierton. Smith's Virginia. 107. †Purchas' Pilgrims.

From this brief description Dr. Belknap infers, that "the easternmost of the four inlets which they entered, was the mouth of the river Saco. The two next were Kennebunk and York rivers, and the westernmost and best was the Pascataqua." "The reason," he adds, "of their finding no people, was that the natives were at that season (June) fishing at the falls of the rivers; and the vestiges of fires at or near the mouths of the rivers, marked the places where they had resided and taken fish in the earlier months of spring."\* We can see no good cause to doubt the accuracy of this opinion, and are thus enabled to assign the date of the discovery of the Saco to the year 1603. Capt. Pring continued his course to the southern part of Massachusetts, following the track of Gosnold, where having laden his vessels with sassafras and furs, he returned to England after an absence of six months.

A second voyage, more particularly directed to the coast of Mavoshen or Maine, was performed by this "understanding gentleman," as Pring is styled by a writer of that period, in the year 1606, under the patronage of Chief Justice Popham. The journal of this voyage appears not to have been published; an omission which we the more regret, as Sir F. Gorges says, that a perfect discovery was then made of all the rivers and harbors on our coast, and the most exact account of it brought that he had ever received.

A geographical outline of this eastern territory, for which the materials were obtained from the journals of these and other early visits to the shores of Maine, was drawn up by Mr. Hakluyt, and published by Samuel Purchas in his great work, entitled "Purchas his Pilgrims, or Relations of the World," &c. The chapter containing it, is headed, "A Description of the country of Mavooshen, discovered by the English in the years 1602, 3, 5, 6, 7, 8, and 9."

"Mavooshen," says this writer, "is a countrey lying to the North and by East of Virginia between the degrees of

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\*Belkn. Am. Biog. II. 126.

43 and 45.\* It is fortie leagues broad, and fiftie in length, lying in breadth East and West, and in length North and South. It is bordered on the East side with a countrey the people whereof they call Tarrantines; on the West with Epistoman, on the North with a great wood called Senaglecouna, and on the South with the mayne ocean sea and many Islands. In Mavooshen it seemeth there are nine Rivers," &c. The most western of these rivers is thus described: "Seven daies journey to the South west of Ashamahaga there is another river that is sixe fathoms to the entrance: This river is named the SHAWAKOTOC, and is halfe a mile broad; it runneth into the lande fiftie daies journey, but foure daies from the entrance it is so narrow, that the Trees growing on each side doe so crosse with their boughs and bodies on the other as it is permitted not by any means to pass with boates that way; for which cause the Inhabitants that on any occasion are to travel to the head, are forced to go by land, taking their way upon the West side. At the end of this River, there is a Lake of foure daies journey long and two daies broad, wherein are two Ilands. To the North West foure daies journey from this Lake, at the Head of this River Shawakotoc, there is a small province which they call Crokemago, wherein is one towne. This is the Westernmost river of the Dominions of Bashabez."†

Such was the most accurate account of our river possessed by the English geographers at that period. The small extent of a day's journey may be estimated from the distance thus computed between the *Aponeg*, (Sheepscot,) and the Sagadahock, which is called three days' journey, but is only about twelve miles. No European, probably, had yet explored the country far beyond the mouths of the principal rivers, and the information of navigators respecting their sources and extent, must have been derived from the inexact descriptions of the natives. The supreme sachem who governed the country of Mavoshen, and bore the title of Bashaba, is

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\*The sea-coast of Maine is comprehended almost exactly within these limits. †Purchas. lib. X. c. 6. Third Edition printed 1617.

repeatedly noticed by the first voyagers to this coast, and is said to have resided near the Penobscot. The subordinate chiefs, somewhat like the feudal barons, exercised a separate authority over their respective tribes. The province of Crockemago, probably, included the famous tribe of the Pequawkets whose principal town, known to have been of great antiquity, occupied nearly the site of Fryeburg. The large ponds in that vicinity were doubtless considered by them the sources of the Saco; one of which, the upper Kezar, principally in the town of Lovell, is about 15 miles in length, and from one to two miles in breadth, and contains two or three islands. The principal branch of the Saco, the Great Ossipee, terminates in a small lake; on this river, also, was seated a considerable Indian village.\*

A name similar to that in the preceding extract, was applied to our river by the celebrated Capt. Smith, who examined the coast from Penobscot westward in 1614, and two years after published a description of the country under the general name of New England. After describing the Kennebec, Smith proceeds: "Westward of this river is the country of Aucocisco (Casco) in the bottom of a large deep bay, full of many great isles, which divide it into many good harbors. SAWOCOTUCK is the next, in the edge of a large sandy bay, which hath many rocks and isles, but few good harbors except for barks, (that) I yet know."† Omitting the last syllable of this word, which was doubtless done for the sake of brevity, we have nearly the present name of the river. Smith drew a map of N. England, with the Indian names of rivers, islands, &c. and presented it to Prince, afterwards King, Charles, who at his request substituted English names in their stead. A few only of these were adopted by the inhabitants, when the country was settled. The name of Ipswich was bestowed on the Saco, but there is no reason to suppose it was ever used. The Kennebec was called Edinboro'; Agamenticus river, Boston, &c.‡

\*Sullivan. 223. †Smith's Virginia. II. 193.

‡Ibid. II. 177. There was a small tribe of Indians within the colony of Plymouth called *Sawcutuckers*. They lived in the western part of Harwich. Mass. Hist. Coll. I. 197. Prince. 63.



It can scarcely be a subject of regret that the aboriginal names have been retained in so many instances. Although often not remarkably euphonious, they serve to keep alive the memory of the former possessors of the soil, of whom so few vestiges remain. The deep feeling of interest excited by the unhappy fate of the powerful tribes, once inhabiting the banks of our rivers and lakes, is impressed on whatever survives the wreck of their fortunes, if it be only a name.

The French were somewhat behind the English in making voyages of discovery to the American continent. In 1524, John Verazzano, an Italian, in the service of the king of France, sailed along the coast from Florida to Labrador, and gave to the whole extent of territory the name of New France. Notwithstanding the discovery of the Cabots nearly thirty years previous, this navigator was regarded as having given to France a title to the greater part of North America, as the original discoverer. But it was not until early in the following century, that a permanent settlement was commenced by people of that nation on the shores of the new world. In 1603 the Sieur de Monts received a commission from his sovereign for the government of New France. His jurisdiction extended from the 40th to the 46th degree of north latitude. In the following year, De Monts arrived on the coast of Nova Scotia, then called Cadie or Acadie,\* accompanied by Samuel de Champlain, who had ascended the St. Lawrence the year before and obtained much information respecting the country. A small settlement was made on the island St. Croix, where they passed the winter, and the next season changed their location to Port Royal, now Annapolis, N. S.

In the meantime, De Monts and Champlain explored the coast toward the south for the purpose of selecting suitable places to establish colonies. The following

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\*In Latin Cadia or Acadia. This word is generally supposed to be borrowed from the *Arcadia* of the Greeks, as Douglas, Brit. Am. derives it. But it is a different word, even with the initial *a*, which it often wants. Being at first restricted in its application, it was probably of Indian origin, as is Pesmo-cadie, the French orthography for Passamaquoddy. All New France was often termed Acadie.

passage from the volume published by the latter descriptive of this voyage, it is confidently believed, refers to Saco river\* and the islands near its entrance.

"Having left the Kennebec, we ran along the coast to the westward, and cast anchor under a small island near the main land where we saw twenty or more natives. I here visited an island beautifully clothed with a fine growth of forest trees, particularly of the oak and walnut, and overspread with vines that in their season produce excellent grapes; the first I had seen since leaving Cape de la Heve, (N. S.) We named it the island of Bacchus. At high water we weighed anchor, and ran up a small river, barred at its mouth. There is but half a fathom of water on the bar at low tide, and about nine, sometimes twelve feet at high tide; within there is a depth of four, five and six fathoms. As soon as we had cast anchor, a number of Indians appeared on the banks of the river and began to dance. Their chief was not among them; he came two or three hours after with two canoes, and took a turn around our ship. This river is called by the natives Chouacoet."†

No settlement was made by the French at that time west of the river St. Croix. As late as 1613, they were not found beyond that limit except on the island of Monts Deserts, now Mount Desert, where two priests of the order of Jesuits had gathered a few adventurers in 1609. It is not a little remarkable that with all the country before them, the French should have fixed the seat of their jurisdiction so far north as Nova Scotia. Their title to that part of the territory of New France was not less defective than to a more southern position. The English regarded them as trespassers at Port Royal, and measures were taken for their removal in 1613.‡

\*Belk. Am. Biog. II. 149. †Pronounced nearly, *Shwar'co*. Les Voyages de Sieur de Champlain, Liv. ii. c. 3.

‡Belkn. Am. Biog. I. 340 II. 52. Sullivan, Hist. Maine, p. 170, says that "soon after Popham's party left the river (Kennebec) in 1608, the French took possession of it," and refers us to Hubbard as an authority for the statement; but it finds no support in that author. Hist. N. E. 15. Ind. Narrative. 286. Hubbard says, however, that Argal found French settled at *Penobscot* 1613, and is followed in Ab-

The claim of the latter people, founded on the discovery of the Cabots, extended from Newfoundland to Florida, and after various vicissitudes was ultimately sustained.

There are no definite accounts of voyages to this part of America by navigators of any other nation, unless we except Hudson in the service of the Dutch, who sailed along our coast towards the south in 1609, when he discovered the noble river that now bears his name. After that year the Dutch frequented the American coast, and established a trading house near where Albany stands as early as 1614\*. A geographical work of high reputation, written in the Latin language and published soon after that period at Leyden, comprises, probably, all the information relating to the new world gathered by the early navigators of that and other nations. The author, John de Laet, was a director of the Dutch East India Company, and distinguished for his scientific as well as geographical knowledge. In the account of Cadia or Acadia, (for the word is thus differently spelled in this work,) the writer has twice described the Saco under its French and English names. The first account, of which we subjoin a plain version, was chiefly derived from Champlain, with some additions; the other is an exact translation of Smith.

“Four leagues south of the Kennebec,” says this writer, “following the direction of the coast, there is a bay containing in its bosom a large number of islands, from which are seen the lofty summits of mountains on the main land.† Eight leagues beyond, the river Chouacoet opens in lat. 43 deg. 45 min. having several islands near its entrance, one of which was called by the French navigators the

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bot and White's Hist. Belfast. 16. But Charlevoix, the historian of New France, tome I. liv. iii does not authorize even this statement; nor is it supported by Prince, N. E. Chronol. 37; or Belknap, Am. Biog. art. Argal; or Holmes, Am. Annals, I. 178.

It is probable enough that Sullivan was led into the error of supposing the French settled at Kennebec, by the following passage of Prince, 25: “Upon the colony's (Popham's) breaking up, the French settle themselves within our limits.” This doubtless refers to the settlement on Monts Deserts in 1609, and to the continued encroachments of that people on the Acadian peninsula.

\*Smith's Hist. of N. York. 14. †Casco bay and the White mountains.

island of Bacchus and by our countrymen Wiingaerden Eylandt, (Vineyard Island,) from the great abundance of vines found growing there. It is two leagues distant from the main; is agreeable to the eye from the fine appearance of the oaks and walnut trees with which it is stocked, and offers a good soil for cultivation. The river at its mouth is not of great depth, being not more than two fathoms at high water, but within it is three or four fathoms, and is well stored with fish. The land near the river is fertile, presenting to view either open plains, or groves of lofty firs, beeches and elms. The barbarians that inhabit here, are in some respects unlike the other aborigines of New France, differing from them both in language and manners. They shave their heads from the forehead to the crown, but suffer the hair to grow on the other side, confining it in knots, and interweaving feathers of various colors. They paint their faces red or black; are well formed, and arm themselves with spears, clubs, bows and arrows, which for the want of iron they point with the tail of a crustaceous animal, called signoc.\* They cultivate the soil in a different manner from the Indians who live east of them; they plant maize (Indian corn) and striped beans together, so that the stalks of the former answer the purpose of poles for the vines to run upon. Their fields are enclosed and kept free from bushes; they plant in May and harvest in September. Walnut trees grow here, but inferior to ours; vines are abundant, and it is said by the French, that the grapes gathered in July, make good wine. The natives also raise pumpkins,† and tobacco. They have permanent places of abode, not roving about like other savages. Their cabins are covered with oak-bark, and are defended from the attacks of enemies by a wall of palisadoes.”‡

It is quite possible that De Laet supposed the Chouacoet of the French, and the Sawocotuck of the English, to be separate streams; an error into which he was

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\*The *Horse-shoe*. *Monoculus polyphemus*. †Not indigenous, but introduced at a very early period. Nuttall.

‡*Novus Orbis*, (New World,) &c. lib. ii. c. 19. See Appen. A.

more likely to fall from the brief and less flattering description of Smith. Indeed, the whole coast of Maine was represented by the latter as dreary and desolate. "It is a countrey rather to affright than delight one," says he, "and how to describe a more plaine spectacle of desolation or more barren, I know not." The French adventurers, on the other hand, described the eastern country in very agreeable terms, imparting to its numerous islands, rivers and bays, a gay and picturesque coloring, not wholly fanciful at certain brief periods of the year, when the rugged features of our northern shores are clothed with a verdure and beauty unrivalled in more genial climes. The delineations of Smith, it must be acknowledged, however, are more faithful to the general aspect of the coast. It is but fair to add the sequel of the remarks of this celebrated traveller, in which he discovers no want of penetration. "Yet are those rocky isles," continues he, "so furnished with good woods, springs, fruits, fowl and fish, that it makes me think, though the coast be rocky and thus affrightable, the vallies and plains and interior parts may well notwithstanding be very fertile."\*

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\*Smith's Virginia. First published 1616. Capt. Smith arrived at Monheagan, April, 1614, with two ships. This island had been a resort for fishermen since 1608. Smith made it the centre of his operations during the summer. "Whilst the sailors fished, myself with eight others ranged the coast in a small boat. We got for trifles near 11000 beaver skins, 100 martins and as many otters, and the most of them within the distance of 20 leagues. We ranged the coast both east and west much further," p. 175. He returned to England in September; beside the furs, they carried home 47000 'dry and core fish,' made at Monheagan. A tradinghouse was afterwards established on this island, but was broken up 1626, when the goods being offered for sale, Gov. Bradford and Mr. Winslow of the New Plymouth colony, and Mr. Thompson of Pascataqua, went thither and purchased them. The moiety of the Plymouth planters amounted to £400. Prince. 161. The island was sold that year by Mr. Jennings, of Plymouth, Eng. to the future Pemaquid patentees, and continued to be a favorite resort for fishermen. Sull. 392.

## CHAPTER II.

THE unfortunate termination of Sir Walter Raleigh's attempts to colonize Virginia during the reign of Queen Elizabeth, had effectually checked the spirit of enterprise in England in relation to the settlement of America. The discoveries of Gosnold and Pring, and the shortness of their voyages, now caused the subject to be revived, and to excite more general interest than had before existed. On the petition of a number of gentlemen, a charter was granted by king James in the year 1606, dividing the country into two districts, called North and South Virginia, and authorizing the establishment of separate colonies in each district by two distinct companies. A right of property in the land fifty miles on each side of their first plantations, and extending one hundred miles into the interior, was granted by this patent. The first or Southern colony were allowed to settle any part of the country within the degrees of 34 and 41 north latitude; the second, consisting chiefly of persons resident at Plymouth and other towns in the west of England, and thence denominated the Plymouth Company, were allowed to choose a place of settlement between 38 and 45 degrees north latitude. As a considerable portion of the territory thus allotted was common to the two districts, a provision was added, that the colony last planted should not approach within one hundred miles of that already established.\*

The next year colonies were sent out by the two companies. One was fixed at Jamestown, of which Gosnold 'was the prime mover,' and Capt. Smith an active member; the other was established at Sagadahock, or the mouth of the Kennebec, led by Captains George Popham, brother to the Chief Justice, and Raleigh Gilbert. This colony consisted of 108 men†; whether accom-

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\*Hazard's State Papers I. 50. †Smith's Virginia. II. 174. The southern colony consisted of about the same number. Gosnold died the first year, Aug. 22. The Pilgrim Colony of 1620, comprised only 41 men; the rest of their number (60) being women and children. *N. E. Memorial*. 38.

panied by their families, we are not informed. They arrived on the coast near the island of Monheagan, a few leagues east of the Kennebec, in the month of August, and soon after entered the mouth of that river, where on the eastern side, on an island now forming a part of Georgetown,\* they commenced preparations for a permanent settlement without delay. Monheagan was agreed upon as a place of rendezvous for the ships before leaving England,† and although we are not directly told that the destination of the colony was determined before their arrival, there is no doubt of the fact. The great patron of the enterprise, Chief Justice Popham, we have already seen, obtained an accurate survey of the coast the year before, and doubtless selected the mouth of that "fair and navigable river," as the Kennebec is styled by Smith, as a favorable location for the seat of the colony.

The lateness of the season scarcely allowed the colonists time to erect a fort and the necessary places of shelter before the approach of winter, which proved excessively rigorous. More than half their number returned with the ships to England in December, in consequence of the severity of the cold and the scantiness of their supplies. Soon after those who remained had the misfortune to lose the greater part of their buildings and stores by fire. Capt. Popham died in the course of the winter, and an arrival in the spring brought news of the death of the Chief Justice. Raleigh Gilbert, who succeeded Popham as president of the Colony, was under the necessity of returning to England on account of the decease of his brother, of which intelligence was received by another arrival, and the colonists discouraged by so many adverse circumstances, resolved to abandon the country and return with him. Thus in less than one year from the time the settlement was commenced, the

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\*Called Parker's island, containing 28000 acres. Mass. Hist. Coll. i. 251. "Description of Georgetown." Prince supposes they landed on the peninsula of Cape Small Point, on the western side of the river. Belknap says a peninsula. Biog. i. 350. Sullivan, 15. 53. supposed Stage island was the spot, which contains only six acres. We follow the intelligent local authority cited above.

†Gorges.

northern colony was broken up ; the country was denounced as uninhabitable, and no further attempts were made for many years to promote its settlement by the Company to whom it was assigned by the patent of King James.

Sir Ferdinando Gorges, a conspicuous member of the Plymouth Company, alone remained undiscouraged. The attention of this gentleman appears to have been first turned to this part of America in the year 1605, when Capt. Weymouth arrived in the harbor of Plymouth where he resided, on his return from a voyage for the discovery of the northwest passage. Falling short of his course, Weymouth had accidentally discovered the river Penobscot, from whence he carried to England five of the natives, "three of whom," says Gorges, "I seized upon ; they were all of one nation, but of several parts and several families. This accident must be acknowledged the means under God of putting on foot and giving life to all our plantations." He retained these Indians in his family three years, and obtained from them much information respecting their native shores ; they were afterwards sent back. Gorges henceforward took a deep interest in schemes for the settlement of North Virginia, and was rather chagrined than discouraged by the return of the Sagadahock colonists, and the unfavorable reports which they spread concerning the country. "He had too much experience in the world," he said, "to be frightened with such a blast, as knowing many great kingdoms and large territories more northerly seated and by many degrees colder, were plentifully inhabited, and divers of them stored with no better commodities than these afforded, if like industry, art and labor be used." Unable, however, to persuade the Company to undertake the planting of a second colony, Gorges engaged in private enterprises to this coast, which began to be much resorted to by English ships for purposes of trade with the natives, and of fishing. In the year 1616,\* he sent hither a party commanded by RICHARD VINES, for the

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\*Prince, N. E. Chronol. 25



express object of exploring the country with a view to form a settlement. He contracted with them to remain during the winter, with the hope of removing the prejudice excited by the Sagadahock colonists against the character of the climate.

They arrived during the prevalence of a destructive disease among the natives, which spread throughout New England, commencing its ravages in the west. This pestilence is noticed by all the writers on the early history of New England, with some difference of opinion as to the precise year of its occurrence. A late and highly respectable writer supposes it to have prevailed in different places at different times, but a few years previous to the arrival of the Plymouth pilgrims.\* It was regarded by those pious colonists as a special interposition of divine providence in their favor, so great was the havoc it made among the tribes in that quarter. 'Thus,' says old Morton, 'God made way for his people by removing the heathen and planting them in the land.'

Mr. Vines and his companions penetrated into the interior, visiting the Indians in their villages and wigwams, who received them with great kindness and hospitality. Beside the ravages of sickness, they were at this time thrown into confusion by the death of the Bashaba or chief sachem, whom the Tarrantines, living east of the Penobscot, had attacked by surprise and destroyed with his family the preceding year. Great dissensions had immediately followed among the different tribes, who were engaged in a destructive war with each other when the pestilence made its appearance.† In the midst of these evils, the Englishmen passed with safety among them, and slept in their cabins without suffering from the contagion. They were in particular welcomed by the savages whom they had seen in the family of Gorges at Plymouth, and now met in their native homes. Having visited different parts of the coast, this little party prepared to establish themselves for the winter. The spot

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\*Judge Davis's edit. of N. E. Memorial. (1828.) p. 52. note.

†Gorges' History.

which they selected for their abode, we have reason to suppose, was at the mouth of Saco river, on the western side, near the capacious and sheltered basin now called the Pool, but in early times known as Winter Harbor. This interesting fact depends on the following statement.

The place chosen at that time by Mr. Vines for the location of a colony, was at the mouth of this river,\* where one was planted some years after under his direction. He was probably led to make this choice before winter, and he would naturally establish himself during that season on the spot selected for a permanent abode. In support of this reasonable supposition, we have the tradition of the inhabitants of that part of Biddeford, that an English vessel wintered in the Pool before the settlement of the country, and that the shelter thus afforded gave rise to the name of Winter Harbor. The following passage of the history of Gorges, adds stronger confirmation. "Col. Fra. Norton and Capt. Wm. Gorges went over (in 1623) with divers workmen for the building of mills, houses, and all things, necessary for the settlement of our designs," (an establishment at Agamenticus, now York.) "And we had the more hope of a happy success of these affairs, by reason that not far from that place there had been settled some years before Mr. Richard Vines, a servant (or agent) of his, (Sir F. Gorges,) of whose care and diligence he had formerly made much trial in his affairs."†

It appears from this extract, that Norton and Gorges were encouraged in their design of settling at Agamenticus by the fact that Vines had found the country habitable in the neighborhood of that river. It is not pretended, nor is there the slightest reason to suppose, that his

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\*Dr. Belknap, Biog. i. 377, says: "It has been before observed that Gorges had sent over R. Vines with some others on a discovery, to prepare the way for a colony. The place which Vines pitched upon was at the mouth of Saco river."

†These gentlemen had a grant of 24000 acres of land on both sides of Agamenticus now York river, as is stated by Gorges. Sullivan, p. 237, says, erroneously, the earliest grant in York was 1642. The late venerable Judge Sewall wrote a brief account of York, published in 1 Mass. Hist. Coll. iii. 6-12, but does not mention this early settlement. It was probably of short duration.

temporary settlement was made at any other place than at the mouth of the Saco.

Vines performed several voyages to our coast in the service of Gorges, and it is probable made Winter Harbor his principal resort. While he was occupied in exploring the country and trading with the natives, his men were engaged in fishing. How long he pursued this course, we are not informed, nor do we find him mentioned again until several years after his early residence at Winter Harbor.

A separate charter was obtained by the Plymouth Company in 1620, enlarging their powers and giving wider limits to their jurisdiction. The vast territory extending from the 40th to the 48th degree of north latitude, and from sea to sea, was placed at the disposal and under the government of the company, now styled the Council of Plymouth. Forty noblemen and gentlemen are named in that instrument as composing "the Council, established at Plymouth in Devonshire, for the planting, ruling and governing of New England in America."\* The right of property in the land was thus transferred from the crown to the Council, by whom grants of unequal magnitude were made at various times throughout New England. A degree of confusion rests on some of their acts, arising in a great measure from their imperfect knowledge of the geography of the country.† The earliest grant of the Council including a part of Maine, was made in 1622 to Sir F. Gorges and John Mason, two of their number, extending from the Merrimac to the Kennebec, under the name of Laconia.‡ The next year these patentees with other adventurers sent out David Thompson, Edward and William Hilton, to form a settlement on the Pascataqua. The grant received by Col. Norton and Capt. W. Gorges, already noticed, was under that of Laconia. In 1629 Mason took out a new patent for that portion of Laconia west of the Pascataqua, which he named New Hampshire, leaving the remainder with Gorges. In the meantime, however, the Council proceeded to make

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\*Hazard's State Papers, I. 103. †Sullivan on Land Titles. 36.

‡Belknap's N. H. I. 14.

new grants of the eastern part of Laconia as if no former one still existed.

Among these were two patents of lands on Saco river. The Biddeford patent, as we may now term it, conveyed to John Oldham and Richard Vines, a tract of land lying between Cape Elizabeth and Cape Porpoise, on the south side of the river Swanckadocke, (as the Saco is strangely denominated by the Council,) containing in breadth by the sea four miles, and eight miles up into the main land. These are nearly the present bounds of Biddeford. The other patent conveyed a tract of the same extent on the opposite side of the river, to Thomas Lewis and Capt. Richard Bonython.\* The limits of Saco are at present somewhat less than those of the patent, as will be shown in another place. The former of these instruments, was copied into the records of the Province of Maine, July 19, 1643. The latter was not recorded until April 5, 1731.† They are both dated February 12, 1629, old style, equivalent to Feb. 1, 1630. At that period the commencement of the year was reckoned from March 25, a practice that continued more or less to the following century. But it was not uncommon, to prevent mistakes, to write a double date for a day coming between Jan. 1. and March 25. Thus the date of the patents would be more easily understood, had the year been written 1629-30. The alteration of the day of the month is rendered necessary by the change introduced into the calendar, familiar to all, termed the new style.

The same year the grant called the Plough Patent, and forming the Province of Lygonia, was made by the Council.‡ It was intended to embrace a territory forty miles square, but fell short of that extent, as appears from the limits actually assigned to it. It was bounded on the east by Cape Elizabeth, or Casco, and on the west

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\*Pronounced as if written *Bonigh'ton*.

†See Appendix B, for copies of these patents. The original parchment, relating to the eastern side of the river, has been brought to light since the commencement of these enquiries, and deposited in the archives of the Maine Historical Society, at Brunswick. It was in the possession of Mr. Benj. Patterson.

‡Hubbard's Ind. Nar. Part. 2. p. 9. first edition.

by Cape Porpoise, a distance of about thirty miles on the sea coast, and extended forty miles into the interior. The patents on Saco river were thus included within the bounds of this grant; this is the more remarkable as they were made the same year. The names of the grantees as recorded by Hubbard, are John Dy, Thomas Impe, Grace Harding and John Roach of London; to which Sullivan adds from a manuscript of uncertain authority, John Smith and Bryan Brincks. Several of these gentlemen are supposed by Sullivan to have resided within the limits of their patent. "In the year 1630," says the manuscript, as quoted by our historian, "Bryan Brincks, John Smith and others went into New England and settled themselves in Casco Bay, near unto the south side of the river Sagadahock, and laid out several sums of money there, made laws and constitutions, &c. for the governing said Province."\* It is hardly possible that all this could be done by the proprietors of the Plough patent without leaving some traces of their operations among the ancient records of Maine. But not the slightest vestige has been found relating to any such transactions, and as the author and date of the manuscript are not given and were probably unknown, its statements are liable to be questioned. Sullivan himself acknowledges 'there never was a person of the name of Brincks inhabiting' in this quarter, but says further, that 'there have ever been persons of the names of Smith and Dyer on the south side of Saco river,' and he takes them to be descendants of the supposed patentees Smith and Dy. There was, indeed, a John Smith at Saco 1636, who was living 1685, at the age of seventy three years.† As he was but eighteen years old when the patent was granted, it cannot be rationally supposed that he was associated with the patentees in a grant so extensive. There is besides no notice, however slight, that he had any interest in the Plough patent, in the records of that period. Admitting the gratuitous change of Dy to Dyer, the latter name does not occur in the Saco records until more than fifty years after the date of the patent.

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\*Sullivan. 311. †Court Records.

The following passage of Winthrop's Journal is supposed to relate to this subject. "July 6, 1631. A small ship of sixty tons arrived at Nantasket, Mr. Graves master. She brought ten passengers from London. They came with a patent to Sagadahock, but not liking the place, they came hither. Their ship drew ten feet, and went up to Watertown, but ran on ground twice by the way. These were the company called Husbandmen, and their ship called the Plough." It was afterwards added: "Most of them proved Familists and vanished away." The Familists were a fanatical sect. It is plain enough, that whoever came in this vessel, and whether they entered Saco river, as Sullivan supposes, or the Kennebec, as is quite probable, they did not remain in this part of the country. They were probably a band of adventurers, sent out by the grantees of the Plough patent, but the appearance of the eastern country not equalling their expectations, they preferred to shape their course in another direction. This supposition is supported by Hubbard, who states that the patentees "took in as a partner, Mr. Richard Dummer\* of Newbury, N. England, in the year 1638, to whom they delivered the patent, with an order from them to take up the land described therein, but he being denied opportunity to effect it, as also a ship formerly sent for that end not accomplishing their desire," &c.† In consequence of these difficulties, they sold the patent soon after to Alexander Rigby, Esq. of Lancashire. The date of this transfer is stated by Sullivan to be April 7, 1643. At that period it seems to have assumed the name of the Province of Lygonia, when it became the source of much contention, as will be shown hereafter. It is a subject of regret that more definite information does not

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\*This gentleman came to N. England 1632, when he was admitted freeman. Winthrop ii. 363. He was one of the first settlers of Newbury, Mass. where he owned a large estate. He was 'equally rich and benevolent.' Lieut. Gov Dummer was one of his descendants. Cushing's Hist. of Newburyport, p. 66. Eliot's Biog. Dict. The date of his arrival is incorrectly given by these writers, as it appears from the record of his admission to the rights of a freeman.

†Hubbard's Nar. Part 2. pp. 9-10. Edition of 1677. Sullivan, Savage, and other writers take notice of a mistake in Hubbard, Umee for Vines. It is not found in the old edition.

exist relating to the original grantees of this extensive patent: had they actually come to take possession themselves, we should doubtless know more about them.

There were two other grants by the Council in this vicinity, one of which conveyed to Robert Trelawney and Moses Goodyear of Plymouth, Eng. merchants, a tract of land extending from the mouth of a small stream called Spurwink river, on the line between the towns of Scarborough and Cape Elizabeth, fifteen miles into the interior, thence crossing eastwardly to Presumpscot river and so down to the sea.\* Portland and several other towns are situated within the limits of this patent.

The other was small, consisting of only 1500 acres, situated between the Spurwink and Black Point rivers, in the eastern part of Scarborough, including Black Point, of which Capt. Thomas Cammock, a nephew of the Earl of Warwick, was sole patentee. Stratton's islands, one of which is now called Bluff island, were included in this grant. These patents were both made in the year 1631.†

The colony of New Plymouth obtained a grant of eastern lands at this period, situated on the Kennebec and Cobbisseecontee rivers, to enable them to trade in that quarter. This patent was originally procured in 1628, but was enlarged and confirmed Jan. 13, 1629-30.‡

Farther east was the Pemaquid grant of 12000 acres, to Robert Aldworth and Giles Elbridge, of Bristol, Eng. made in the year 1631.||

Finally, there was the Muscongus, or, as it has been since called, the Waldo patent, between the Penobscot and the Muscongus, extending ten leagues into the interior, granted March 13, 1629-30, to John Beauchamp of London, and Thomas Leveret of Boston, Eng.§

No other grants were made by the Council in this part of N. England. Some of these were the subjects of long and angry contentions, owing in part to the indefi-

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\*The Spurwink is laid down on a map of N. England, published with C. Mather's Hist. N. E. 1702, as larger than the Saco!

†Court Records. Sullivan, p. 128, says 5000 acres, but we follow the records. The errors of Sullivan respecting Trelawney's grant are too numerous to be pointed out here. The principal one is in making Rigby the grantor. p. 115, et passim.

‡Prince. N. E. Chron. 172. 196. ||Hazard Coll. I. 315. §Ibid. I. 304.

nite terms used in describing their limits, and to the neglect of the early proprietors to enter upon and mark out the bounds of their lands. This is particularly true of the Cobbisseecontee and Muscongus patents, so long the fruitful sources of controversy.

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### CHAPTER III.

On the twenty fifth day of June, 1630, Richard Vines took legal possession of the land granted him in conjunction with John Oldham on the south west side of Saco river. This ceremony was performed in the presence of Mr. Isaac Allerton, Capt. Thomas Wiggen, Mr. Thomas Purchase, Capt. Nathaniel Waters, Capt. John Wright, and Mr. Stephen Reekes, mariner. The three last named were without doubt attached to the vessels in which Mr. Vines and a number of colonists with their families, had recently arrived. The others are well known in the early history of New England. Mr. Allerton was a gentleman of some note in the colony of New Plymouth, of which he was an original member. We learn from several sources, that having been sent to England on public business, he returned in the spring of 1630. The ship in which Mr. Allerton took passage, the *Lyon*, Capt. William Pierce, master, sailed from Bristol, Eng. for Penobscot with the agent of the Muscongus patentees, accompanied by four or five men, who were about to establish a tradinghouse at the mouth of the former river.\* When Gov. Winthrop and the other principal Massachusetts colonists arrived at Salem, June 12, the same summer, the *Lyon* was at anchor in the harbor of that place: "about an hour after," says Winthrop, "Mr. Allerton came aboard us in a shallop as he was sailing to Pemaquid." In the course of this trip to the eastward, he was enabled to be present at the delivery of possession to Mr. Vines. Mr.

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\*Mass. Hist. Coll. iii. 70. 72. Prince. 203. note.



Allerton was again at Saco the following year, arriving in the ship *White Angel* on his return from another voyage to England.\* He appears to have been concerned in the tradinghouse at Penobscot, and in another at Machias, which was destroyed 1633.† The last notice we find of him in this quarter, is in a note from Thomas Mayhew to Mr. Vines, dated Medford, 20 May, 1636, in which the writer says he has engaged a quantity of stores "to go by Mr. Allerton."‡ Mr. Allerton afterwards removed from New Plymouth, probably to New Haven, Conn. where he seems to have been living in 1653.§

Capt. Thomas Wigen, another of the persons who witnessed the possessory act of our patentee, was an agent of the upper plantation on the Pascataqua. He probably came to N. England this year, when the settlements on that river received great accessions. Capt. Wigen resided at Dover for many years, and during the union of New Hampshire with Massachusetts, he became one of the Assistants of the Colony. He held this office from 1650 to 1664,|| by virtue of which we find him presiding at a term of the court at York 1659.

Mr. Thomas Purchase was settled at a very early period at Pegypscott, now Brunswick. Some account of him will be given in another place.

The attorneys of the Council for the delivery of possession, were the Rev. William Blackstone, of Shawmut, afterwards Boston; William Jefferies, an old planter of uncertain abode,¶ and Edward Hilton of Pascataqua. It does not appear which of these gentlemen executed the trust assigned to them.

The patentees on the eastern side of the river arrived the following year. On the 28th of June, 1631, Mr.

\*Winthrop. I. 57. †N. E. Memorial. 393. ‡Court Records. Thos. Mayhew is stated to have lived at Watertown, as a merchant. In 1641, he was appointed Governor of Nantucket, Martha's Vineyard and the adjacent islands, when he removed to Martha's Vineyard, and became a distinguished benefactor to the Indians. Gookin. 1 Mass. Hist. Coll. i. 202.

§Winthrop. I. 25. note. ||N. H. Hist. Coll. ii. 207.

¶The Editor of Winthrop says he was a person of some distinction, settled probably at Weymouth, Mass. before 1628. I. 138. note.

Lewis entered upon this grant in the presence of Mr. Wiggen, James Parker, Henry Watts, and George Vaughan of Pascataqua. Edward Hilton acted as the attorney of the Council.

Thus commenced the first permanent settlements on this river. What number of colonists accompanied the patentees, we are not informed ; no record of their names occurs until 1636. It appears from the tenor of the patents, that they had stipulated to transport fifty persons to their respective grants 'to plant and inhabit there,' within seven years. This condition was probably fulfilled, at least by Mr. Vines, on whose patent the inhabitants have ever been more numerous until within a few years. His associate, Mr. John Oldham, appears to have taken no interest in the patent. We find no trace of his having been at any time within its limits. The name of Saco was used at that period to include the settlements on both sides of the river, and continued to be so employed for nearly a century. An agreement relative to "the setting forward the enterprise of clapboard making," between "Peyton Cooke of Saco, Gent. and Mr. Richard Williams likewise of Saco," bears date Jan. 27, 1635.

That part of Vines's patent situated below the mouth of the river, had previously received the name of Winter Harbor, as we have reason to suppose, which it has borne to this day, and the whole settlement was often so termed. In a list of the inhabitants dated 1653, we find them distinguished as living in East and West Saco.\*

The following document furnishes the names of the principal colonists and their relative standing, a few years only after the settlement began. "1636, 7 ber (September) 7 : The booke of rates for the minister, to be paide quarterly, the first payment to begin at Michaelmas next. (Sept. 29.)

Capt. Richard Bonython	£3
Richard Vines	3
Thomas Lewis	3
Henry Boade	2

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\*Mass. State Records.

John Wadlow	£2
Thomas Williams	2
Robert Sankey	1 10
Theophilus Davis	1 10
George Frost	1 10
Clement Greenway	1
John Parker	1
John Smith	1
Samuel Andrews	1
William Scadlock	1
Robert Morgan	15
Henry Warwick	1
Richard Hitchcock	10
Thomas Page	1
Ambrose Berry	1
Henry Watts	1 10
Richard Foxwell	1 10."

To these names we add the following, derived from other sources: Francis Robinson, Arthur Mackworth, Peyton Cooke, Richard Williams, John West, Thomas Wise, Stephen Batson, John Baylie, Thomas Cole, John Wotten, James Cole, John Bonython, Morgan Howell, Arthur Browne, George Jewell, and Peter Hogg, servant of Mr. Greenway. Several of these persons removed to Casco before 1636. There were probably others here at the same date, whose names occur a few years later.

The colonists chiefly settled near the sea along the northern margin of the Pool, where Mr. Vines passed the winter of 1616-7. Andrews and Scadlock were on the west near Little River, and T. Williams and West on the other side of the principal settlement, the latter above the mouth of Saco river. The traces of ancient habitations may be still seen in all these places. One spot near the head of the Pool, deserves to be more particularly noticed. A point of land makes out here, long known as Leighton's point, on which, it is said, a court-house stood in the infancy of the settlements in Maine. Whatever degree of credit we attach to this tradition, it is plain enough that a considerable number of the first inhabitants dwelt near this spot. Several cellars, now filled up and

overgrown with antiquated shrubbery, are yet discernible ; the mouths of two or three wells may also be seen. Apple-trees rotten with age, and the English cherry, grow here in the midst of oaks and sumachs. Tradition marks out this deserted spot as the seat of the earliest settlement. It is now buried in the most perfect solitude. Here we may safely suppose Richard Vines passed that memorable winter when there was scarcely a civilized being in any other part of New England, and afterwards resided in the midst of his little colony.

A small number only of the planters settled on the eastern side of the river, now so much more populous than the other. Beside the patentees with their families, Foxwell, Watts, Warwick, perhaps Greenway, are all of those named in the book of rates, who appear to have pitched on this side. The two former were located at Blue-point, near the eastern limit of the patent, and when the line was accurately run, they were found to be without this limit. The right of Foxwell to his extensive farm at that place, is recited in an action brought by him against Capt. Cammock 1640 ; he declares, "that he hath for these four years or thereabouts lived at Black-point in the right of Capt. R. Bonython, his father in law, who settled him there and gave him as much freedom and privilege as by virtue of his patent he could, either for planting, fishing, fowling, or the like, which was the main cause of his settling there." Blue-point is near the mouth of Scarboro' river, on the south-western side, opposite Black-point or Prout's Neck. The plantations on both sides of the stream were embraced under the name of Black-point.

The house of Capt. Bonython stood on the left bank of the Saco, a short distance below the falls. The remains of the cellar may be still seen, in the field owned by James Gray, Esq. a few rods east of the meetinghouse of the Second Parish. In ploughing this piece of ground about seventy years ago, several articles of domestic use, such as spoons, candlesticks, &c. of an antique fashion, were turned up, supposed to have been buried in the ruins of the house, which was burned by the Indians 1675.

The early decease of Mr. Lewis, renders it difficult to ascertain with precision where he fixed his abode ; vari-

ous circumstances, however, lead us to suppose he lived in the lower part of the patent, not far from the river. His son in law, James Gibbins, who appears to have settled on Vine's patent 1642, where he purchased land 'late the property of Henry Boade,' after his marriage removed to the patent of Mr. Lewis, and probably occupied the house, as he inherited the estate of his father in law. Gibbins is known to have dwelt a short distance above the lower ferry.

The employments of the colonists were chiefly agriculture, fishing, and trade with the natives. Most of them combined these pursuits, and were styled husbandmen or planters.\* There were several mechanics among them. John Smith was a carpenter. R. Williams, the 'clapboard-cleaver,' was engaged in extensive business. At his death 1635, he had on hand clapboards of the value of £164 8 4, a large amount in those days. By the agreement before referred to, Mr. Cooke having advanced £30 10 6, sterling money of England, towards the undertaking, was to have "two full men's shares of all such clapboards as shall be made, or begun to be made upon Mr. Vines his patent in Saco by the latter end of June next ensuing, according to the number of persons, always respecting their quality and labor, who shall labor therein, he the said Peyton being at the charges only of two laborers for wages and dyett as shall be esteemed reasonable; the said charges to be deducted out of the profits arising out of said clapboards, beginning said charges 23 Oct. last, (1634,) and continuing during said laborers finishing the same. Likewise said sum £30 10 6 to be repaid to said Peyton on finishing said clapboards within the time above specified &c."

The husbandmen took up tracts of 100 acres, of which they received leases on nominal or small rents, from Mr. Vines. Some of these are now on record. An estate that had been in the possession of Thomas Cole, including 'a mansion or dwellinghouse,' was leased by Mr. Vines

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\*"Some are planters and fishers both, others mere fishers." Jocelyn's Voyages. 208.

to John West for the term of 1000 years, for the annual rent of two shillings and one capon, a previous consideration having been paid by West. The lease, which is partly in the latin language, was executed 1638.\* Another deed from Vines requires the lessee to yield and pay an acknowledgement and rent-charge of 5s., two days' work, and one fat goose yearly. In this manner were all the planters rendered tenants to the proprietor, none of them holding their estates in fee simple, as the term is now understood. The stock of these early farmers, being at first for the most part imported from England, was probably not very extensive. The ship *White Angel*, already noticed as arriving here 1631, brought a cargo of "cows, goats, and hogs," but they were chiefly intended for the colonies of New Plymouth and Massachusetts. Mr. John Jocelyn, who was in this part of the country in 1638, and again in 1663, says the farms were well stocked with cattle, but he probably refers to the period of his second visit.

Fishing was the most common occupation, as it was both easy and profitable to barter the products of this business for corn from Virginia, and other stores from England. The trade with the planters of Massachusetts soon became considerable. In 1636, Mr. Vines had a consignment of bread and beef from that quarter. Jocelyn remarks that 'Winter Harbor is a noted place for fishers; here they have many stages.' He describes the mode of pursuing this business in the following manner: "The fishermen take yearly on the coast many hundred quintals of cod, hake, haddock, pollock, &c. and dry them at their stages, making three voyages in a year. They make merchantable and refuse fish, which they sell to Massachusetts merchants; the first for 32 ryals (\$4) per quintal; the refuse for 9 and 10 shillings (\$2, and 2,25.) The merchant sends the first to Lisbon, Bilboa, Marseilles, Bordeaux, Toulon, and other cities of France; to Canaries pipestaves and clapboards; the refuse fish to the W. Indies for the negroes. To every shallop belong four fish-

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\*See a copy of it, Appendix C.

ermen, a master or steersman, a midshipman, and a shore man who washes it out of the salt, and dries it upon hurdles pitched upon stakes breast high, and tends their cookery. They often get in one voyage 8 or 9 barrels a share per man. The merchant buys of the planters beef, pork, peas, wheat, indian corn, and sells it to the fishermen."

The expense of each planter to provision himself was quite small, if we may judge from an estimate furnished by Mr. Jocelyn for the information of proposed emigrants. A similar estimate had been previously made by Capt. Smith with reference to Virginia.\* "Victuals to last one man a year ; 8 bushels of meal, £2 : two bushels of peas, 6 shillings : two bushels of oatmeal, 9 shillings : one gallon of aqua vitæ, (brandy,) 2s. 6d. : one gallon of oil, 3s. 6d. : two gallons of vinegar, 2s." Total £3 3s, equivalent to \$14.

A considerable traffic was carried on with the natives by many of the planters, some of them visiting remote parts of the coast, or travelling into the interior for this purpose. English and French goods were bartered for valuable furs, particularly beaver. A man named Jenkins, is said by Winthrop to have gone, in 1632, from Cape Porpoise, in company with an Indian, up into the country with goods to truck, or trade, where he was killed, and his goods stolen, while he was sleeping in a wigwam. The goods were recovered by the chief, and sent back.† The furs obtained in the trade with the natives, were disposed of to the European vessels that frequented the coast, or at some of the few tradinghouses established in this quarter by the western colonies, and English merchants. The greatest resort in our vicinity for these objects, at the period referred to, was Richmond's island, now a part of the town of Cape Elizabeth. A man named Walter Bagnall traded there with one other person, in 1631, but having incurred the resentment of the Indians by unjust dealings with them, a party of the latter fell upon him and his companion, who was probably a native, murdered them, plundered the goods and set fire to the buildings.

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\*Travels. ii. 96. †Journal i. 89.

Winthrop rates the value of the goods at £400. This took place in the fall of 1631: Bagnall had lived on the island alone (as to whitemen) three years.\* This daring outrage was revenged in a summary manner more than a year afterwards, by a party from the westward, that had been to Pemaquid in pursuit of pirates; on their return, landing on Richmond's island, they found there Black William, a chief of the Saugus or Lynn Indians, who was suspected of being concerned in the Bagnall affair, and hanged him on the spot.†

The Casco patent of Trelawney and Goodyear, described above, included this island. Those gentlemen did not come over, but sent as their agent and associate, Mr. John Winter, to whom Mr. Vines, the attorney of the Council, delivered possession of the premises July 21, 1632. Mr. Winter established himself on Richmond's island, and made that spot the scene of extensive commercial operations for nearly fifteen years. The island is accurately described by Jocelyn, as distant four miles from Black-point, one mile from Spurwink, three miles in circumference, and having a passable and gravelly ford on the north side between the main and the sea.‡ Mr. Jocelyn at the period of his first voyage, passed a year with his brother, Henry Jocelyn, Esq. at Black-point. He had thus the means of becoming well acquainted with the principal inhabitants in this quarter. Mr. Winter, he says, is a grave, discreet man, and employs sixty men upon the design of fishing. Jocelyn notices a bark of 300 tons burthen that was spoken by the ship in which he came to New England, "loaded with island wine, bound for Richmond's island, fitted out by Mr. Trelawney of Plymouth." This was in 1638. From another source we learn that the bark Richmond sailed from that island in 1639, doubtless the same vessel. Three other ships belonging to Mr. Trelawney, were employed in voyages

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\*Journal I. 62, 63. †Ibid I 99. Lewis, Hist. of Lynn. 43. The beautiful frontispiece of this work, represents Black William selling Nahant to a planter for a suit of clothes.

‡The name of John Richmond occurs in the court records 1636-7. His servant is spoken of. He had perhaps lived on the island and occasioned its name.



to Richmond's island at that period, viz. the *Hercules*, the *Margery*, and the *Agnes*. The former sailed thence 1641, the *Margery* the year following, the *Hercules* again 1643. We learn from a statement drawn up 1648, that by the terms of agreement between Trelawney and Winter, "the full government of the plantation was wholly committed" to the latter, and that he received for his services one tenth part of the patent, the same proportion of all things in the plantation and profits that should arise, and £40 per annum in money.

Jocelyn speaks of the enormous profits made by the Massachusetts merchants, in this part of the country, who kept "here and there fair magazines stored with English goods." "If they do not gain," he says, "cent. per cent. they cry out they are losers." Similar complaints were brought against Mr. Winter by our planters. At the court of 1640, he was presented by the grand jury for extortion. "Imprimis," say they, "we do present Mr. John Winter of Richmond's island, for that Thomas Wise of Casco hath declared upon his oath that he paid unto Mr. John Winter a noble (6s. 8d.) for a gallon of aqua vitæ about two months since, and further he declareth that the said Mr. Winter bought of Mr. George Luxton, when he was last in Casco bay, a hogshed of aqua vitæ for £7 sterling, about nine months since."\*

The article had thus afforded the merchant a profit of 200 per cent., reckoning sixty three gallons to the hoghead. This might be justly considered extortionate. "Mr. John West being one of the grand inquest, declared that he bought by William Cutts of Mr. John Winter a potle of aqua vitæ at 2s. per quart, and one paire of greigh stockins at 2s. and shot at 4d. the pound, for which he paid by the said William Cutts in beaver at 6s. the pound, being good skinn beaver which he himself took at 8s. the pound. Richard Tucker being one of the greate

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\*Mr Jocelyn returned to England 1639, with Capt. Luxton in the *Fellowship*, 170 tons, of Biddeford, in Devonshire. "Several of my friends (he writes) came to bid me farewell, among others Captain Thomas Warnerton (of Pascataqua,) who drank to me a pint of *kill-devil*, alias Rhum, at a draught." p. 26.

inquest declareth, that Thomas Wise of Casco coming from Richmonnd's island, and having bought of Mr. John Winter a flaggott of liquor, aqua vitæ, for which he paid him as he said a noble, asking myself and petitioner if we would be pleased to accept of a cupp of *noble liquor*," &c.

After the death of Mr. Winter, which took place about 1648,\* the establishment on the island was broken up. On the opposite shore, near the mouth of the small river Spurwink, a few individuals were settled before Winter's arrival. The famous George Cleaves was one of them, who contested the title of Trelawney and Goodyear to that part of their patent, in an action of trespass on the case, brought at the June term of the court of 1640 against their agent. "An action of interruption" was entered at the same time. "Mr. Abraham Short (of Pemquid) and Mr. Thomas Williams became special bail to the plaintiff in £1000, that the defendant shall appear to both these actions at a court to be holden here (at Saco) 8 Sept. next. The plaintiff here declares in both actions, and the defendant is ordered by the court to bring in his answers unto Richard Vines, Esq. at or before Aug. 25, and the defendant is ordered likewise to put in his replies at or before Sept. 1 next." From the declaration of Cleaves in one of these cases, we learn that Capt. Walter Neal, an agent of Mason and Gorges on the Pascataqua, had put Richard Bradshaw in possession of a considerable tract at Spurwink, who soon after sold to Richard Tucker. Capt. Neal first came to New England 1630,† and Cleaves the same year took up a lot of land containing 2000 acres at Spurwink, by virtue of a promise made to him in England, as he declared, by Sir F. Gorges, who encouraged his coming over. Finding Tucker settled there, Cleaves entered into partnership with him; they joined their titles and agreed to build and plant together. This connexion had existed about two years, when Winter appeared with the patent of Trelawney and Goodyear, and succeeded in obtaining possession.

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\*Mr. Trelawney died three years before. Records. †Winthrop. 1. 38. Hubbard. N. E. 216.

Winter in this case pleaded the grant of the Council, and denied the validity of a verbal promise; Capt. Neal, he also stated, had no power then to dispose of lands in this part of the province, but only at Pascataqua. The jury, of which Richard Foxwell was foreman, found for the plaintiff, Cleaves, the house and four acres adjoining it, £80 damages, and costs of court. The court gave judgment on this verdict, except Vines, who dissented.

At the same term, there was a suit between the same parties for "a neck of land called by the Indians Machigony, beginning at a point opposite Hog island and running west," on which "Cleaves and Tucker had planted for divers years," having removed thither soon after the arrival of Winter. This neck of land is now the site of Portland. Cleaves recovered by pleading a proclamation of King James, "granting 150 acres of land to any subject of his who should transport himself at his own charge to America, and the same for every person he should carry thither; and that "finding this tract unoccupied, he had taken possession of it, and had retained possession now seven years." The whole tract which Mr. Cleaves claimed and recovered, comprised 1500 acres, extending some way into the country. Other planters established themselves about Casco bay at the same time, among whom were Mackworth, Robinson, Cooke, Wise and Browne, from the number of our colonists.

Capt. Thomas Cammock first settled on the eastern bank of the Pascataqua, where he obtained a grant of land from Gorges 2 June, 1633. It was conveyed to him by Walter Neale, who styled himself "Governor of the colonies to be planted within the precincts of Gorges, Mason, and their associates." Three years after, Cammock sold this tract 'extending half way to Agamenticus river' to James Treworgy (Trueworthy). Winthrop mentions his arrival at Boston Oct. 18, 1632, in Capt. Neal's pinnace from Pascataqua, with Mr. Godfrey, merchant, (afterwards governor of a part of Maine.) "They brought," says Winthrop, "16 hogsheads of corn to the mill."\* The Black-point patent dated Nov. 1, 1631,

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\*I. 90. Belknap adds, "there was no mill at Pascataqua at that time." Hist. N. H. i. 25.

has the following clause : "Considering that for two years past he has inhabited in New England, and built convenient housings and spent several sums of money in the more ample discovery of the coasts and harbors of those parts," &c. Reference is here made without doubt to Cammock's operations at Pascataqua. His grant on that river was 'in consideration of his expence, and charge and desertful endeavor.' The precise year of Cammock's removal to the seat of his patent, is not known. Mr. Jocelyn first came over 1634,\* in the interest of Mason, with the intention of settling at the upper plantation on the Pascataqua, but on the death of that gentleman in 1635, he removed to Black-point.† Capt. Cammock died on a voyage to the West Indies 1643, having bequeathed his estate at Black-point to his friend Jocelyn, reserving 500 acres to his wife. Cammock's house stood on the Neck, probably occupying nearly the same spot on which one of his successors in that property, Timothy Prout, Esq. built an elegant mansion in the succeeding century. Mr. Jocelyn married the relict of the patentee, and continued to reside at Black-point during many years, taking an active and conspicuous part in the affairs of the Province.

The territory now embracing the towns of Kittery, Eliot, South Berwick, and Berwick, originally composed but one town, called Pascataqua. This name was retained until 1652, when it was changed to Kittery. Gorges, Mason, and their associates, who commenced the settlements on the Pascataqua, had a trading or fishing establishment on the Kittery side as early as 1632. In a letter to one of their agents at the close of that year, they say : "We have committed the chief care of our house at Pascataway to Mr. Godfrey, and written unto Mr. Warnerton to take care of our house at Strawberry-bank," (Portsmouth.) The agent in his answer, the next summer, writes that "Mr. Warnerton hath the charge of the house at Pascataway," and enumerates six persons with

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\*Belkn. Hist. Appendix viii. †Hubbard's Hist. N. E. 224. This writer has made some confusion of dates relative to these gentlemen. See page 216.

him there. Warnerton had land allotted to him at the same place, bounding Cammock's grant on the south. In 1634, the patentees divided their lands 'on the north east side of the harbor and river of Pascataqua,' when they 'not only each of them shipped people to plant on their respective lands at their own charge, but gave direction to invite, and authority to receive such others as may be had, to be tenants, to plant and live there for the more speedy peopling of the country.'\* Before 1640, a large number of planters arrived. Among them were Capt. F. Champernoon, Nicholas Frost, J. Trueworthy, Wm. Everett, Edw. Small, John Edgecomb, John Pickes, John Heard, Thos. Spencer, Peter Wyer. Humphry Chadbourne came over earlier, and built a house at Strawberry-bank, but was an inhabitant on this side of the river 1640. He lived at Newichawanock,† (S. Berwick.) Frost settled on Sturgeon creek, now in Eliot.

The following passage of Hubbard's History relates to both sides of the Pascataqua. "In the year 1631, when Edward Colcott first came thither, (who was afterwards, for want of a better, for some years together chosen governor of the plantations about Dover) there were but three houses (as he affirmed) in all that side of the country adjoining unto Pascataqua river, nor is it said that any were built by Capt. Neale; but after his return home for England (1633) Sir F. Gorges, Capt. Mason, and the rest of the adventurers, sent over other agents and supplies for carrying on their designs."‡

After the early operations of Col. Norton and Capt. Wm. Gorges at Agamenticus, before noticed, we first find inhabitants there in 1636. Capt. Gorges came over a second time 1635, with commissions for a general government, and probably renewed the settlement on that river. The next year, Edw. Godfrey and William Hooke appear to be resident there, and in the court held at Saco, 'the officer of Accomenticus' (in the words of the re-

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\*Letter from Gorges and Mason. Belkn. Hist. 1. Appx. vii. †This Indian name was applied to Salmon Falls river. It was often written Newgee'wanacke. ‡Hist. N. E. 219.

cord) 'per petition craveth pardon for not appearing.' A grant of land on the north side of the Agamenticus was made by Sir F. Gorges Dec. 1, 1631, to Samuel Maverick of Noddle's island, (Mass. Bay,) William Jefferies, and William Hooke. Mr. Maverick was living in the Bay when the Mass. colonists arrived, and is often noticed as a respectable planter by the early writers. Mr. Jefferies has been already mentioned.\* Mr. Hooke witnessed the delivery of possession of the Pemaquid patent 1633. In what year his residence at Agamenticus commenced, we are not informed. He married Mrs. Eleanor, the widow of Capt. Walter Norton, and removed to Salisbury, Mass. 1640, although appointed by Gorges a counsellor of Maine in that year. He died before 1654, and his widow returned to York. These gentlemen conveyed their grant to Roger Garde 1637, to whom it was confirmed by Maverick five years after. Mr. Garde sold to George Puddington 1645; Puddington's widow married John Davis of York, by whom it was assigned to John Garde, merchant, of Boston 1662. Mr. Hooke was interested in another grant, called the Agamenticus patent. In 1693, his son William assigned his part of it to James Coffin of Newbury. Edward Godfrey, Oliver Godfrey, (his son,) and Richard Rowe were associated in a deed of 1500 acres on the north side of Cape Neddock creek, 1638. They were required to pay a rent of 2s. per 100 acres to the agent of Sir Ferdinando Gorges.

The incorporation of Agamenticus as a city under the name of Gorgeana, in 1641, is a fact too singular in the monotonous character of our early settlements, not to be familiar to those least conversant with these subjects. The territory incorporated was on the eastern side of the river, extending seven miles into the land and three on the seaboard.† Thomas Gorges, Esq. was the first mayor of the city. The board of aldermen was composed of E. Godfrey, R. Garde, Geo. Puddington, Bartholomew Barnet, Edw. Johnson, Arthur Bragdon, Henry Simpson,

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\*Supra, p. 31. †York is now full eight miles square.

and John Rogers. Mr. Garde was also appointed recorder. The corporation were empowered to "keep court leete once every year within ten days either before or after Michaelmas, whereunto all persons above the age of twelve years may be warned to appear:" and they were exempted from the jurisdiction of any other officers for the administration of justice within the province of Maine, for any matter arising within the limits of the corporation. 'And in further consideration of the tender regard,' says the charter of Sir Ferdinando, "I have and bear to the further good and advancement of the happiness and weal public of the said city and of the said Province, and that trading and commerce may be the more readily advanced, I do appoint and establish a Market to be kept upon Wednesday in every week forever within said town, and that there shall be two Fairs held and kept there every year forever hereafter, viz. upon the feast days of St. James and St. Paul," &c.\*

Mr. Gorges returned to England 1643, and was succeeded in the mayoralty by Roger Garde, Esq. In the following year a woman of Gorgeana was tried in the mayor's court for the murder of her husband, condemned and executed. The officers of the Province by the invitation of the mayor assisted in conducting the trial; the terms of the charter prohibiting their interference without the special license and consent of the corporation. The inhabitants probably continued to enjoy the municipal privileges secured to them by their charter, until 1652, when they first acknowledged the jurisdiction of Massachusetts, and were incorporated as the town of York.

There were few settlers east of Casco before 1640, and even for several succeeding years. Mr. Thomas Purchase was settled at Pegypscot, now Brunswick, in 1639, and probably a few years before. At that date, he conveyed to the government of Mass. Bay a tract of land on both sides of the Androscoggin, four miles square, for the settlement of a new colony, reserving to himself a sufficient estate out of it. By the same deed, he placed

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\*York Records. Hazard's Coll. 1. 480.

himself under their jurisdiction. Mr. Purchase had no other than an Indian title to the land, or he would not have thrown himself upon the protection of that Colony. As it was included within the patent of Maine granted the next year, the intended colony was not planted, and Purchase himself after some delay acknowledged the jurisdiction of Gorges.

The colony of New Plymouth established a trading-house on the Kennebec in 1628,\* by virtue of their patent obtained from the Council. At a period long subsequent, there was much dispute respecting the location of this tradinghouse, in connection with the determination of the bounds of the patent. We have little doubt that it was situated near the mouth of that river. The object of the colony in obtaining a grant of lands, was to secure the whole trade of the Kennebec, and to defend the exercise of this claim, they built a fort at its entrance. In 1634, a contest occurred there in the presence of two of their magistrates with a trader from Pascataqua. The former, claiming an exclusive right to the traffic on the river, ordered the intruder to depart; he refused and was killed by a shot from the fort. The marks of a former settlement in the lower part of Phippsburg, are probably the remains of the fort and tradinghouse. An investigation of this affray was made at Boston soon after, 'lest' says Gov. Winthrop, 'it might give occasion to the king to send a general governor over, and that it might not bring us all under the common reproach of cutting one another's throats for beaver'. The Plymouth men acknowledged themselves 'under the guilt of the sixth commandment.'

An establishment was made at Penobscot immediately after the grant to Beauchamp and Leverett passed the seal of the Council. Mr. Edward Ashley was sent over for this purpose 1630,† furnished by the English adventurers with a plentiful stock of goods for trade with the natives. The New Plymouth people were solicited

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\*Prince. 172. †Gov. Bradford's Letter book. 1. Mass. Hist. Coll. iii. 72. Hutchinson and succeeding writers date the Penobscot establishment 1627, unsupported by Bradford or Prince.



to engage in this enterprise, for which they had no great fancy; but their interest compelled them to fall in with the humor of their friends in England. The objection seems to have been to the character of the agent, who in less than two years after, on some pretence of violating the regulations of the tradinghouse, was seized by order of the colony, and sent to England. The direction of the whole establishment was then taken into their own hands.\* It was soon after robbed by the French, and in 1635, was captured by a French frigate from Nova Scotia, and retained until 1654. It is said to have been located where Castine now stands.

Pemaquid, now Bristol, about thirty miles east of the Kennebec, was settled as early as 1628; for the patent sets forth that the people or servants of Aldworth and Elbridge, the grantees, inhabited there three years previous to the date of that instrument. Legal possession was taken of the premises by Mr. Abraham Short, in May, 1633. Each settler was allowed to receive 100 acres, adjoining to the principal grant. It is said that the lineal descendants of some of the original planters now hold possession of the allotments thus made to their ancestors.† The first notice we have of Mr. Short, (sometimes written Shurd,) is as the restorer of the Lynn queen or the wife of the Lynn sachem, who was taken prisoner at Agawam, now Ipswich, by the eastern Indians, 1631. Short, who trafficked with those Indians, caused her to be restored for a moderate ransom of wampam and beaver the same year.‡

The first settlers came generally from the counties of Devonshire and Somersetshire, in the southwestern part of England. In the former county, the towns of Plymouth, Tiverton, Biddeford, and Hobberton, and the city of Exeter, respectively supplied our shores with inhabitants. Bristol, and places in the neighborhood of that city, in Somersetshire, are often mentioned in the transac-

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\*Prince. †Hist. of Belfast. 14. How does it appear that the patentees themselves came over, as stated in that work. p. 13.

‡Winthrop. I. 21. Lewis' Hist. of Lynn. 40.

tions of our colonists. Emigrants continued to arrive from time to time, encouraged to come over by Gorges and the other patentees, until the death of the former and the distracted state of the Province, arrested the progress of the settlements. The colonists of New Plymouth and Mass. Bay were for the most part from an opposite quarter of England, and widely differed from the eastern planters in their opinions and habits. It is, therefore, a mistaken notion that the puritans were the common forefathers of all New England. They were a peculiar and distinct people, with whom our early inhabitants had no community of feeling or interest. Much of the present population in this section of the country is, indeed, derived from that quarter, but the old stock of the original planters yet flourishes, and has spread its multiplied branches from the seats of the first settlements over every part of the inhabited territory of Maine.\*

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## CHAPTER IV.

The powers of government were clearly vested in the Council of Plymouth by the terms of their charter. As early as 1623, a general governor of New England was commissioned by them, and sent out, accompanied by a number of colonists. But this attempt failed; the governor, Robert Gorges, a son to Sir Ferdinando, returned to England the following year, and the colonists were dispersed. The plan of a general government was revived in 1635; the country from St. Croix to Maryland was partitioned into provinces, over which Sir F. Gorges was to be appointed governor, to the great con-

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\*In a letter from Ambrose Gibbins, an agent of Mason and Gorges on the Pascataqua, dated 6 August, 1634, there is a reference to the business of R. Williams and others at this place, that should have been before noticed: "The 6th August, the shippe is ready to set sayle for Saco to load cloavebords (clapboards) and pipe staves." Belkn. Hist. i. Appx. ix.

sternation of the Massachusetts colonies. This scheme was also abandoned. Gorges exercised no jurisdiction in N. England before 1636 : so ill defined or feebly asserted was his title under the Laconia patent, that his right even to assign small parcels of land, except in the neighborhood of the Pascataqua, fell into dispute. No government therefore existing in this quarter, the planters, immediately after their arrival, apparently formed a Combination, similar to those afterwards established at Exeter and other plantations in New Hampshire ; voluntarily agreeing to obey the laws of England as administered by officers chosen from their own number. The compact was usually written and subscribed by the inhabitants ;\* and although no such document framed by our colonists has been preserved, we are unable to explain the following order of the court without supposing one to have existed. "Feb. 9, 1636-7. It is ordered that Mr. Thomas Lewis shall appear the next court day at the now dwelling house of Thomas Williams, there to answer his contempt, and to show cause why he will not deliver up the Combination belonging to us."

In 1635 the Council resigned their charter into the hands of the King, after granting a new patent to Gorges, comprehending the territory between the Pascataqua and Sagadahock. He forthwith took measures for establishing a government within these limits. For this purpose he sent over Capt. W. Gorges,† with commissions to Vines, Bonython, Cammock, Jocelyn, Purchase, Godfrey, and Lewis, as counsellors of the province, to which he gave the name of New Somersetshire. These gentlemen convened at Saco, on the eastern side of the river, soon after the arrival of Capt. Gorges. The record is commenced in the following form :

"At a meeting of the Commissioners in the house of Capt. R. Bonython in Saco, this 25th day of March, 1636, present, Capt. R. Bonython, Capt. W. Gorges, Capt. Cammock, Mr. H. Jocelyn, Mr. T. Purchase, E.

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\*See a copy of the Exeter Combination, Hazard's Coll. I. 463.

†Jocelyn says: "In 1635, Capt. W. Gorges was sent over Governor of the Province of Maine, then called New Somersetshire."

Godfrey and T. Lewis, Gents." The court was continued for several days. The petition of the officer of Agamenticus, craving pardon for not appearing, was presented the first day. A few extracts from the records will not be uninteresting. "Monday, 28, March, 1636. To the petition of Mr. T. Lewis for words of defamation spoken per Mr. T. Williams against Mr. T. Lewis: it is this present day ordered, that Mr. T. W. shall be bound to answer to the suit of Mr. Lewis at the next general court in the penalty of £100, and a sufficient jury of this PROVINCE to be returned to try the difference."

"To the request of Mrs. Joan Vines, and an order of Sir F. Gorges as per the same at large appeareth, and other circumstances us inducing, concerning the difference between Capt. R. Bonython and Mr. T. Lewis against Mrs. Joan Vines, concerning the planting of corn on the island where she planted formerly, and an order left per her husband now to plant: It is ordered for the preservation of the public peace and the general good of the country, that Mrs. Joan Vines shall peaceably plant what she hath formerly planted and what more she can plant. Also Capt. R. Bonython and Mr. T. Lewis to plant what they can except where Mrs. Vines planteth, and for trial of the title to said island, to rest till further trial may be made thereof, and this we register, ratify and confirm, although Mr. T.L. did opprobriously, in open court, lacerate and tear an order made to that purpose, and subscribed as per the same appeareth, when a fifth commissioner was to affirm to it." We thus learn one cause of dissatisfaction on the part of Mr. Lewis towards the new government, and perhaps of his refusal to surrender the instrument of Combination.

"It is petitioned per Mr. E. Godfrey that an attachment might bee of one brasse kettell now in the hands of Mr. E. Godfrey, belonging unto Mr. John Straten of a debt dew now 3 years from Mr. Straten to him," &c. The court decreed said *kettle* to be answerable to the suit of Mr. Godfrey at the next term. Stratton's islands off Black-point, included in Cammock's patent, probably derived their name from the defendant in this action. We find no other notice of him.

“March 29, 1636. It is ordered that any man that doth sell strong liquor or wyne, shall suffer his neighbor, laborer or servant to continue drinking in the house except men invited or laborers upon the working day for one hower at diner, or stranger or lodger there, the said offence being seene by one justis of the peace within his limits, or constable, or prued by tew witnesses before a justis of the peace, such seller of strong liquor or wyne shall forfeit for every such offence tenne shillings.”

“April 4, 1637. It is agreed between Capt. R. Bonython, R. Vines, and T. Lewis, that the said R. Vines shall pay for a pair of stocks and a lock to them : ffor that J. West his corne was gathered contrary to order. And soe all controversies about the Ilands are ended, according to a former order in Mr. Richard Gibson’s hands.’

‘Clement Greenway his affidavit. This deponent saith that the 5th July 1635, Mr. T. Lewis did hyre the said Greenway his servant called Peter Hogg till the midst of March following, and the said Lewis was to pay this deponent seaven £ for his servants hyre, and this deponent saith that he did not promise that the said Hogg could caulk boats very well.’

‘It is ordered that every planter or inhabitant shall doe his best endeavor to apprehend, execute or kill any Indian that hath binne known to murder any English, kill their cattle or any way spoyle their goods, doe them violence, and will not make them satisfaction ; if it shall be proved that any planter or inhabitant hath benne negligent therein, he shall be fined at the discretion of the bench.’ ‘Arthur Browne and Arthur Mackworth are empowered to make John Cosins pay satisfaction to an Indian for the wrong he hath done him.’

Among the civil suits, were Wm. Scadlock against Morgan Howell, an action of debt ; John Richmond against T. Lewis, trespass ; T. Page against J. Richmond, trespass ; Mr. R. Gibson against Geo. Jewell, mariner, debt. A warrant is recorded, dated Sept. 6, 1636, requiring the constable of Saco to attach the property of George Cleaves to satisfy a debt of £6 13 8, in favor of William Ryall ; signed by Vines, Bonython, Cammock, and Lewis.

John Wotton and three others were presented by the officer of the place, Mr. Theoph. Davis, for drunkenness, and fined 5s. 8*d.* a piece. John Bonython, for another offence, was fined 40s. R. Hitchcock was put in the stocks for abusing the court.

The records of New Somersetshire are not extended beyond the year 1637. It is uncertain, therefore, whether the courts continued to be holden until the new organization of the government in 1640. George Cleaves went to England in 1636, and it is probable gave no very favorable account of the affairs of the province to the lord proprietor; for the next year he returned with an order from Gorges to the authorities of Mass. Bay "to govern," in the words of Winthrop, "his province of New Somersetshire," as well as "to oversee his servants and private affairs."\* Cleaves at the same time obtained for himself and Tucker, a grant of the tract already noticed as in dispute a few years after; the form of the conveyance is, 'to G. Cleaves and R. Tucker, of Casco, in the Province of New Somerset, by Sir F. Gorges, Lord of said Province.'

Gov. Winthrop and the other gentlemen of Mass. Bay, to whom the commission of Gorges was addressed, declined executing his wishes, professing to be ignorant of his right to the government of the province. No great cordiality had existed between Sir Ferdinando and the members of that colony. His extensive claims to lands embraced in their patent, supported by the Council of Plymouth, had occasioned them no small degree of anxiety. In the manifesto of the Council, setting forth the causes of the resignation of their charter, the Mass. patentees are expressly charged with having 'surreptitiously' acquired a title to the tract formerly granted to Robert Gorges, 'whose servants, with certain other undertakers and tenants' in the service of some of the Council, were thrust out by those intruders.† It is not strange, therefore, that the commission of Gorges was treated with neglect; a result little regretted we suppose by the inhabi-

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\*Journal. i. 231. †Hazard. i. 391.

tants of the province. The artful representations of Cleaves were doubtless the occasion of its being sent. The character of the counsellors of New Somersetshire, and the re-appointment of several of them in the new organization of 1640, disprove the idea of any mismanagement of the powers entrusted to them.

In concluding a notice, necessarily brief, of the first provincial jurisdiction exercised in this section of New England, it is proper to advert to the fact that no account of it is found in the only history of Maine yet published. 'There was an early mistake,' Sullivan observes, 'in calling the province of Maine, New Somerset, which was the county, not the provincial name of the territory.' This remark seems to have been suggested by the deed to Cleaves and Tucker.\* Yet the respected author had before observed that 'Gorges had a government or authority in the year 1636'; founding this statement, however, on the solitary fact that Thomas Bradbury, as the agent of Sir Ferdinando, sold in that year a tract of land to Edward Johnson.† The records from which we have furnished extracts, of course escaped his notice. New Somerset was uniformly styled a province, not a county, in the instruments executed before 1640. Beside the deeds already referred to, an indenture or agreement between 'E. Godfrey, and W. Hooke of Bristol, now of Agamenticus, in the Province of New Somerset,' dated 1638, is found on record.

In 1639, Gorges obtained a charter from the King, confirming the grant of the Council, which directed that the territory 'shall forever hereafter be called and named the Province or Countie of Maine.' The name was bestowed in compliment to the queen of England, a daughter of Henry IV. of France, who was connected by title or estate with the province of Meyne in France.

Soon after obtaining the royal charter, Gorges issued a commission to Sir Thomas Jocelyn, Knight, Richard Vines, Esq. his 'steward general,' Francis Champernoon, his 'loving nephew'; Henry Jocelyn and Richard Bony-

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\*Erroneously printed Tuckerman. Sull. 315. †Sull. 305. The tract consisted of 500 acres near Braveboat harbor, York.

thon, Esquires ; William Hooke and Edward Godfrey, Gentlemen, to be his Counsellors for the administration of the government of the Province. This instrument is dated 2 September, 1639. Sir Thomas Jocelyn did not come over, and in March following, Gorges framed a new commission, substituting in place of that gentleman, his "trusty and well beloved cousin, Thomas Gorges, Esq.)\* The arrival of Gov. Gorges in the summer of 1640, at Boston, is noticed by Winthrop, who describes him as "a young gentleman of the inns of court," (i. e. a lawyer,) "a kinsman to Sir F. Gorges, and sent by him with a commission for the government of his province of New Somersetshire. He was sober and well disposed : he staid a few days at Boston, and was very careful to take advice of our magistrates how to manage his affairs."†

The first general Court under this government was held at Saco, 25th June, 1640, when the Counsellors, except Gorges who had not yet arrived, were sworn into office, together with R. Sankey, provost marshal, Thomas Elkins, under-marshal, and Roger Garde, of Gorgeana, register. Nicholas Frost was appointed constable of Pascataqua ; Michael Mitten of Casco ; John Wilkinson, of Black-point. The inhabitants were required to attend this court, to profess allegiance to the new government : a list of those of Pascataqua, both who appeared, and who "made default in not appearing," twenty four in all, was placed on record. This court was an executive and legislative, as well as a judicial body, and exercised a general control over the affairs of the Province. It was holden in the name of "Sir Ferdinando Gorges, Knight, Lord Proprietor of the Province of Maine," who was made Lord Palatine, with the same powers and privileges as the Bishop of Durham, in the county Palatine of Durham. More ample powers, it has been said, were never bestowed on a British subject.‡ The paramount authori-

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\*See Appendix to Sullivan's History. The last commission is dated March 10, 1639, which Sullivan, not attending to the old mode of computing the year, has taken to be previous to Sept. 1639. The instrument of the March date refers to another "bearing date in September last past "

†Journal. ii. 9-10. ‡Judge D. Sewall's Charge. 1790.



ty of the crown, seems scarcely to have been recognized. The style of the judicial proceedings supposed the presence of the lord proprietor. Thus Cleaves in the case before described, pleaded "a promise made unto him by you, Sir F. Gorges."

The second term of the court was holden in September, when "the Worshipful Thomas Gorges" was present with the other counsellors. At this time it was ordered that "henceforth there should be one General court holden at Saco, for the whole Province of Maine, every year, on the 25th day of June, if it fall not on the sabbath day, which if it shall, then the said court to begin the day following. But if urgent occasions require it, then the said Council to call another court at such time as they shall think meet." The other courts were to be held by a portion of the Council, at Gorgeana, for the inhabitants from Pascataqua to Kennibonke; at Saco, for the inhabitants from Kennibonke to Sagadahock; three times a year at each place. These inferior courts had no jurisdiction in capital felonies, or civil actions involving titles to lands. A few extracts from the records of 1640, will be added to those already given.\*

"Joseph Boles hath presented to the grand inquest Thomas Heard for being drunk. The last night after sunset the delinquent came to the plaintiff's house and offered violence to his person by striking him, threatening him with many violent words to break open the store to the great disturbance of himself and the people that were therein, and he further declareth that he received his drink at the house of William Scadlock. W. Scadlock presented by the grand inquest for this misdemeanor in his house, was fined 20s. by the Court, which upon his humble petition was remitted. T. Heard fined 5s. for being drunk. Paid." Mr. Bowles, the complainant, lived at Winter Harbor at that time. He was afterwards a respectable inhabitant of Wells. "John Bonython versus Richard Gibson, minister. Action of debt. Plaintiff declares that defendant oweth him 5*l*. due upon a bill

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\*Supra. pp. 39-40.

1 May last, and also 3*l.* 6*s.* upon account. The defendant by his attorney, Francis Robinson, in part confesseth the action and intreateth that the matter in difference may be referred to arbitration; admitted by the court with the consent of the Plaintiff, and the defendant by his attorney engages that the corn which he has growing in Saco, shall remain for security to the plaintiff for the payment of the debt according to arbitration or otherwise. Arbitrators, G. Cleaves and A. Mackworth."

"Action of slander. Arthur Browne versus Thomas Purchase. A. Browne cometh into this court and declareth that whereas he hath been bred a merchant from his youth upward, and lived in this country these seven years in good reputation and credit without scandalous reproach of false or injurious dealing, yet the defendant hath wrongfully accused him of bribery and perjury," &c. Verdict for plaintiff, damages 5*l.*" "Richard Gibson and Mary his wife versus John Bonython, (son of Richard.) Action of slander. That on or about 28 April 1640, in the dwellinghouse of Thomas Lewis, deceased, he did slander the plaintiff for a base priest, a base knave, a base fellow," (not sparing his wife)—"all which he repeated in the house of R. Vines, Esq. Damages set at 500*l.* Verdict for the plaintiff; damages 6*l.* 6*s.* 8*d.*" "Mr. Arthur Browne is presented for swearing two oaths—fined 2*s.* John Payne is fined 1*s.* for swearing one oath. H. Watts and W. Frethy for profaning the sabbath in carrying of boards contrary to his Majesty's laws—fined 20*s.* one half remitted, the rest paid to the worshipful R. Vines. Capt. Cammock fined 1*s.* for swearing one oath."

The following declaration relates to a gentleman of whom much is said by the early historical writers.\* "Richard Tucker cometh into this Court and declareth that nine years since or thereabouts, there came one Sir Christopher Gardiner to the plaintiff in the name of the defendant, Thomas Purchase, and borrowed of him a warming pan, which cost here in this country 12*s.* 6*d.*, which the defendant hath all this time and still doth

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\*He has more recently figured in a popular novel, 'Hope Leslie', as Sir Philip Gardiner.

wrongfully detain from the plaintiff. And also the said Sir Christopher did six months after or thereabouts, buy of the plaintiff a new fowling piece for 40s. which he promised to pay within a month after, which money both for the warming pan and the piece the plaintiff hath oftentimes demanded of the defendant who doth still refuse to pay the same to the damage of the plaintiff at least 5*l.* sterling, for which the plaintiff commenceth his action of trespass on the case against the defendant in this court, and humbly desireth a legal hearing according to law. T. Purchase denies ever authorizing Sir C. Gardiner to buy any warming pan or fowling piece for him, &c. Verdict for the plaintiff, 2*l.* 12*s.* 6*d.* for the two articles. 2*d.* damages. 12*s.* 6*d.* costs of court."

Sir Christopher came to New England 1630, and remained about two years, attended, it is said, by a young woman, his cousin, and several servants. He had travelled in the Holy Land, and received the honor of knighthood at Jerusalem. On his appearance at Boston, he was suspected by the Massachusetts government of having designs upon their patent, especially after a packet of letters came addressed to him from Sir F. Gorges, which being forwarded from Pascataqua by Capt. Neal under cover to Gov. Winthrop, were somewhat unceremoniously opened by the council of that colony.\* "By these letters it appeared," observes Winthrop, "that Sir F. Gorges (who claims a great part of Massachusetts Bay) had some secret design to recover his pretended right, and that he reposed much trust in Sir Christopher Gardiner." The cry of popery was soon after raised against the poor knight, confirmed by his alleged descent from Stephen Gardiner, the bloody bishop of Winchester of the reign of Queen Mary; vague charges of an immoral nature were also brought against him, but not substantiated. After suffering much abusive treatment in Massachusetts, he at length returned to England, where he co-operated with

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\*Some little dislike of this proceeding is indicated in a subsequent notice taken of it by Gov. Winthrop, according to the editor; but it probably occurred through his influence, if afterward regretted. Winthrop's Journal. l. 57. and note.

Gorges and Mason in their plans relating to N. England.\*

The records of the courts between 1641-4, inclusive, are not preserved. Gov. Gorges sailed for England in 1643, leaving Mr. Vines at the head of the government. In 1645, the General Court sat at Saco, when were present R. Vines, R. Bonython and H. Jocelyn, Esqrs. and Mr. F. Robinson, Mr. A. Mackworth, Mr. E. Small and Mr. Abraham Preble, Magistrates. The following order was passed: "The General Court not having heard from Sir F. Gorges, appoint R. Vines Deputy Governor of the Province for one year, and if he depart within the year, H. Jocelyn in his place." The civil war was at this time raging in England, and Sir Ferdinando, although advanced in years, took up arms in defence of his royal master. He was in the army of Prince Rupert at the siege of Bristol 1643, and when that city was re-taken by the parliamentary forces in 1645, he was plundered and thrown into prison. It is not strange, therefore, that during this period Gorges paid no attention to the affairs of the province. The following order of the court 1645, shows that his fortunes were regarded as desperate: 'It is ordered that R. Vines shall have power to take into his possession all the goods and chattels of Sir F. Gorges, and to pay such debts as Sir Ferdinando is in any way indebted to any.' At the same time 'a publique fast was ordered to be solemnly kept upon Thursday, 20 November next, through this province.'

In the meantime, the controversy respecting Lygonia arose. Alex. Rigby, proprietor of the plough patent, was a member of the celebrated Long Parliament, and strongly attached to both the political and religious opinions of the republican or revolutionary party in England. Having purchased the patent in 1643, he appointed George Cleaves, then in England, his agent, and deputy governor of the new province, to which he gave the name of Lygonia, embracing the towns or plantations of Casco, Black-

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\*For a particular account of him, see N. E. Memorial—Davis's edition 163. Judge Davis remarks: "Nothing criminal was proved against him, and the harsh treatment he received seems not only irregular but imprudent."

point, Blue-point, Saco, and Cape Porpoise. Cleaves had gone thither for the purpose of preferring complaints to Parliament against the government of Maine. The petition which he presented, was signed with the names of several planters without their consent, if we may trust the affidavits of Mackworth, Watts, Alger (Arthur), Hamans, West, Wadleigh, Weare, Wilkinson, and Smith, in which they say, 'they did not authorize Cleaves's charges exhibited in Parliament against Mr. Vines, nor knew of them until said Cleaves came last out of England, nor do they testify to any such charges against Mr. Vines.' Robinson certifies the same, and adds: 'I do moreover testify that Mr. Thomas Jenner, minister of God's word, told me he asked Mr. Cleaves why he put men's hands to a petition they never saw: his answer was, 'the Parliament bid him.' The result, however, was a commission from Parliament, dated April 28, 1643, to Gov. Winthrop of Mass. Bay, Mr. A. Mackworth of Casco, and others, to examine into the truth of the articles alleged against Mr. Vines.

Cleaves arrived at Boston in March, 1644, with his commission of deputy governor, and applied to the General Court of that colony for assistance in establishing the claims of Mr. Rigby. They declined interfering, except to recommend to Gov. Winthrop to write in his own name to the officers of Gorges' government, advising an acknowledgement of Rigby's authority.\* On reaching Casco, Cleaves distributed commissions, and summoned a court at that place in the name of the 'Lord Proprietor and President of the Province of Lygonia.' The counsellors of Maine forthwith called a general court at Saco, and protested against these proceedings. The plough patent, they insisted, was effectually revoked by the royal charter of 1640, which conveyed, without reserve, the territory and jurisdiction of the whole province to Sir Ferdinando Gorges, thereby disannulling all former grants, at least so far as related to the exercise of the powers of government. The inhabitants were divided

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\*Winthrop. ii. 154.

on the question, but we have reason to suppose that the claims of Gorges were generally favored. Cleaves at last proposed to refer the subject to the decision of the Mass. Colony, well knowing to which side they would lean, when the dispute was between a republican dissenter or puritan, and a zealous royalist. R. Tucker was the bearer of this proposition to the council at Saco, by whom he was treated as a disturber of the peace, and arrested ; but on giving bonds to appear at the next court at this place, and for his good behaviour in the interim, he was set at liberty.

Cleaves next presented a petition signed by about thirty persons, to the Mass. Gen. Court, soliciting their aid to maintain the authority of Rigby. Mr. Vines, with a letter from an equal number of the inhabitants, went himself to Boston to obtain support. But that wary government, ever watchful of its own interests, had already conceived the idea of pushing its own limits into the heart of Maine, and resolved not to interfere. The dispute was then referred to the commissioners for foreign plantations in England. While it was pending there, the court of assistants at Boston consented to grant the parties a hearing, that an end might be put to the contention until the final decision was received from the commissioners. Messrs. Jocelyn and Robinson, on the part of Gorges, and Messrs. Cleaves and Tucker, on the other side, repaired thither ; but no other result was produced than a recommendation to both parties to live peaceably until they heard from England. This was in 1646 ; the same year, the decision of the commissioners was declared in favor of the claims of Mr. Rigby.

Thus terminated the jurisdiction of Gorges over the towns included in the province of Lygonia. The last general court under his authority of which we find a record, was holden at Wells, July 1646, by H. Jocelyn, Deputy Governor, Capt. R. Bonython, and E. Godfrey. At length, in 1649, the inhabitants of Pascataqua, Gorgeana, and Wells, having received intelligence of the death of the lord proprietor, and in vain written to his heirs to ascertain their wishes, formed a Combination for the exercise of the powers of government according to 'the

laws of their native country.\* Mr. Godfrey was chosen governor, the style Province of Maine being still retained. This state of things continued until 1652-3, when the towns were annexed to Massachusetts.

In the meantime the government of Lygonia was regularly organized, and the inhabitants within its limits, even those who had been the most active adherents of Gorges, quietly submitted to the new jurisdiction. A mere fragment of the records of the General Assembly of this Province has been found, on diligent inquiry, enough to show, however, that its proceedings were conducted with great regularity. It is in the following form: "Petition of Robert Jordan to Alexander Rigby, President, George Cleaves, Deputy President, together with the whole body of the General Assembly of Lygonia, assembled this 22 day of September, 1648," &c. "Sept. 24, 1648. This petition is granted by this Assembly and referred to a committee of this House, viz. to Mr. George Cleaves, Mr. William Royall, Mr. Richard Foxwell, Mr. Henry Watts, to be set on the 10 October next at Richmond's Island, to make report of the state of things petitioned for to this Court at the next Sessions; under the hand of the Clerk of the Assembly, Peyton Cooke." The decree of the court founded on the report of its committee, made in December following, was adjudged legal by the Mass. authorities at a subsequent period.

In addition to the above, we find appended to an administration of P. Cooke on the estate of R. Williams the following approval, executed 'at a court holden at Black-point the last of May, 1648: We, the Judges for the Province of Lygonia, do by our authority ratify and confirm unto the said P. Cooke this abovesaid administration according to the full tenor thereof. Witness our hands under our Provincial Seal at the day and year abovewritten. (Signed) G. Cleaves, H. Jocelyn, R. Jordan.'

Alex. Rigby died August 1650, and was succeeded as proprietor of Lygonia by his son, Edward Rigby. A let-

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\*This Combination is printed 1 Mass. Hist. Coll. I. 103. and in Judge Freeman's 'Extracts from the Journal of Rev. T. Smith.' Appendix. 56.

ler is on record addressed by the latter to Jocelyn, Jordan, Mackworth, Williams, as also to Robert Booth, and others, who held commissions under his father, in which he states that he has been 'made acquainted by the late deputy president, with several miscarriages and illegal proceedings committed in his province by their instigation and advice'; and he requires and commands them to desist from acting by virtue of their commissions, determined by the death of his father, until they hear further from him. He moreover declares void "all the actions done either by the deputy-president, the six assistants, the judges, or any other officer whatever who had commission from his father, since his death." "I am not ignorant," he says, "of some complaints formerly made to my father by some of yourselves and others and desire that you will be confident, that I shall strive to do equal justice in all things, according to my office and duty; and to the end that equal justice may be done to all men, I shall with all convenient speed, not only send back Mr. Cleeve, but a near kinsman of my own, with instructions to such as I shall conceive fitting." The letter is dated at London, 19 July, 1652.\* There is no evidence that the proposed measures were taken by Edward Rigby. The government of Lygonia was at an end, and no efforts appear to have been made for its restoration at any future period. The heirs did, indeed, endeavor in 1710, to revive their title to the soil, but without success.†

The town records of Saco now existing, commence after the dissolution of the government of Lygonia; we are thus deprived of the means of knowing what part was taken by the inhabitants in general, in relation to the affairs of that province. It is probable that Cleaves found few supporters here, at least until after the removal of Mr. Vines from the country, which took place before the termination of the controversy. When the authority of Rigby was

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\*A copy is printed in Sullivan's Hist. 317. and Hazard's Coll. I. 570. The latter mistakes Lygonia for Laconia. We do not perceive that the conduct of Cleaves was impeached by Rigby, or that the heir was unable to manage his own concerns, as stated by Sullivan. 316. †Sullivan. 319.



at length established, the opposition existed only in complaints against the procedures of his agent, which were forwarded to the President in England. What were the particular causes of dissatisfaction, we are not informed. Among the inhabitants who held commissions under this government, T. Williams and R. Booth are named in the address of E. Rigby's letter ; the former is placed in a superior class apparently, who were perhaps Assistants or Counsellors. Mr. Booth was doubtless one of the magistrates. Mr. Rigby had wisely associated in his government some of the most ardent friends of Gorges.

We have thus endeavored to trace briefly the history of the early jurisdictions of Gorges and Rigby in this quarter. They were both of short duration. While justice and gratitude seem to have pleaded in behalf of the former, by whom the energies of a long and active life had been devoted to schemes for the settlement of this part of New England, it must be acknowledged that the title of the latter to the territory he claimed, was strictly well founded.

The true source of the grounds of dispute is found in the contradictory grants of the Council of Plymouth, which vested the powers of government, as well as a right to the soil, in both proprietors. A conflict was thus rendered inevitable. The smaller patents, on the other hand, conveyed simply a title to the lands, of which possession had been regularly taken at an early date. No attempt was made to subvert them, and the controversies of the provincial patentees only affected the proprietors of them, as subjects of a political jurisdiction.

## CHAPTER V.

Little is known respecting those members of the Gorges family who are so intimately connected with the early affairs of New England, more than appears in the general history of their exertions at that period. Lord Edward Gorges of Wiltshire, was President of the Council of Plymouth : his name occurs in most of the instruments executed by that body. Sir Ferdinando was born about 1575. He is styled of Ashton Phillips, in the county of Somerset, by Mr. Jocelyn ; this was probably the name of a family seat, as there is no town so called. The genealogy of the family is traced to the year 1350, when Theobald Russell, of the noble house of that name in England, married Eleanor de Gorges, and contrary to the custom of modern times assumed the patronymick of his lady.\* The first notice that history affords us of Sir Ferdinando, is in connection with the discovery of the treasonable enterprise of the Earl of Essex, near the close of the reign of Queen Elizabeth, which cost that nobleman his life. Information of this affair having reached our knight, he communicated it, as was supposed, to his friend Sir Walter Raleigh, by whom it was made known to government.† During the war with Spain, in the last years of Elizabeth, Sir Ferdinando served in the navy, and after peace took place 1604, he was appointed governor of Plymouth in Devonshire. The apparently trivial circumstance of his seeing four or five natives of our coast, who were carried to England by Capt. Weymouth, occurred the following year, and gave a colour to the events of his whole life. His attention was recalled from America in his old age only by the adversities of his royal friend and patron, Charles I. In 1624, when a jealousy of the powers granted to the Council of Plymouth prevailed in England, Sir Ferdinando was sum-

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\*MS. Genealogy of the Russells, in the possession of Rev. Dr. W. Jenks. The name began to be written Georges towards the close of the xvii century ; a change in the pronunciation taking place, probably, at the same time. †Hume. Hist. of Eng. chap. 44.

moned to the bar of the house of Commons, where the speaker, Sir Edward Coke, informed him that the patent of the Council was complained of as a grievance, and required it to be delivered to the house. Gorges replied that he was but one of the company, and that he had no power to deliver it without their consent. He then went into a full vindication of the patent, and of the measures pursued by the Council, and pointed out the vast importance of this country to England, 'which could not long remain unpossessed', he said 'either by the French, Spaniards, or Dutch, so that if the plantations were to be given up, the honor as well as the interest of the nation, must greatly suffer.' A committee was then appointed by the house to examine the patent and make objections, to be delivered to Gorges. These he fully answered, with the assistance of the celebrated Lord Finch, and Mr. Caltrap, as legal counsel. The Parliament, however, in its zeal to reform abuses of the royal prerogative, placed the grant to the Council of Plymouth on the list of grievances presented to the King. Although James did not see fit to recal it, the Council of their own accord suspended operations for a time.

The death of Sir Ferdinando is supposed to have occurred about the year 1647, when the civil war was at its height. It is almost unnecessary to add, that he never visited New England. He was succeeded in his title and estates by his oldest son, named John, a man of little energy, who did not survive his father many years. Sir John left a son Ferdinando, who inherited the title, and soon after began to interest himself in the affairs of Maine. He published a history of the plantations undertaken in N. England, mostly derived from the papers of his grandfather, in 1658.

Thomas Gorges, Deputy Governor, and Mayor of Gorgeana, was styled in the commission from Sir Ferdinando his 'well beloved cousin,' or kinsman. He was probably the son of a younger brother of Sir Ferdinando. He received from the lord proprietor, 1641, a grant of 5000 acres of land in any part of the Province at his election, not interfering with prior grants, to constitute a Barony, 'with full power to divide the same into manors

and lordships, and to hold court barons and court leets within said Lordship.' Thomas chose a tract in Wells, near the small river Ogarnug or Ogunquit, where he sold a parcel to the Rev. John Wheelwright in 1643. Henry, a brother of Thomas Gorges, brought actions of ejectment at the court of 1686, for lands contained in this grant, and succeeded in some of them.

Capt. Francis Champernoon, one of the council in the government of Gorges 1640, is styled his 'loving nephew' in the commission. He resided at Kittery, where he died 1687. Two of his daughters married in the Cutts family. A third married Humphry Eliot, whose son, Champernoon Eliot, was the principal heir of Capt. Champernoon, inheriting 'all his lands in old and New England.'

We have already stated, that Mr. John Oldham, the associate patentee of Mr. Vines, was not among the settlers at Winter Harbor. A brief notice of him is nevertheless due, from the agency which he probably had in procuring the patent. Mr. Oldham came to New England 1623, with a family of ten persons, and joined the colony of New Plymouth. The next year he became involved, together with the Rev. John Lyford, in a serious difference with the leading individuals of that colony, and received sentence of banishment. Returning thither in the spring of 1625, he was again expelled, and compelled to take refuge with his family at Nantasket, where he was joined by Mr. Lyford, Mr. Roger Conant, and some others, with their families, from New Plymouth. The cause of this secession from the colony seems to have been a dislike of the peculiarly rigid principles of the greater part of the pilgrims. Soon after a company in England, intending to establish a plantation at Cape Ann, appointed these gentlemen to superintend it. Mr. Conant, who commenced the settlement of Salem soon after, had the care of the planting and fishing; Mr. Oldham was to conduct the trade; and Rev. Mr. Lyford to be their minister.\* In 1628, Mr. Oldham went to England, when he appears to have regained the good opinion of the old col-

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\*N. E. Memorial. 117-8. note.

ony, who committed to his charge a prisoner of some consequence. It is uncertain in what year he returned. While in England, he was chiefly occupied with a grant made to him by Robert Gorges on Charles river. The Mass. Colonists complained much of his pertinacity in defending his right and title, notwithstanding their patent embraced the tract in question.\* Terms of agreement were proposed to him, which he at first rejected; but as we next find him living quietly under their jurisdiction within the limits of his grant, at Watertown, in 1632, some compromise probably had been made. In that year, a committee composed of two persons from each of the eight towns then forming the colony of Mass. bay, was chosen by the people to confer with the Governor and assistants on the subject of raising a public fund; when Mr. O. and one other represented that town.† This body was the germ of the General Court established two years after on the same basis of representation. We next find Mr. Oldham with three others travelling from Dorchester to Connecticut, through the wilderness, to view the country and trade with the Indians. The result of this journey, performed in 1633, was the first settlement of the English in Connecticut, the favorable accounts of the travelers on their return inducing a number of planters to go thither.‡ At the first Gen. Court holden May 14, 1634, Mr. Oldham was one of the two representatives of Watertown. His adventurous and enterprising spirit at length brought him to a tragical end. In the summer of 1636, while on a trading voyage to the coast of Connecticut, he was barbarously murdered by some of the Pequod Indians, who attacked him in his pinnace near Block Island. This was the second instance of murder committed by those Indians, and was followed by a war of extermination which put a period to the existence of that tribe.

The foregoing pages have narrated the principal events of a public nature, in which **RICHARD VINES**, the founder of our towns, bore a part. Whatever we have been

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†See a letter to Gov. Endicott. Hazard's Coll. 1. 256.

†Prince. I. 60. †Dr. Harris. Hist. of Dorchester. Hist. Coll. xi. A tradinghouse had been before set up on the Connecticut by the New Plymouth people, but without making a regular settlement.

able to collect relating to his private history, will be now presented to the reader. The following account derived from the journal of Gov. Winthrop, furnishes us with some knowledge of the extent of his transactions in the way of trade. About the year 1642, two rival French establishments existed at Penobscot and near the mouth of the St. John. At the head of the former was Monsieur D'Aulnay, and of the latter, De la Tour. So far did these adventurers carry their feuds, that they engaged in open hostilities against each other. The assistance of the Massachusetts Colonies was sought by both, to enable them to carry on their vindictive operations. La Tour came to Boston for this purpose in 1643, but before the object of his visit could be attended to, he was required to answer for killing two Englishmen at Machias, and taking away their goods to the amount of 500*l*. Mr. Vines was part owner of the alleged goods, and happening to be in Boston at this time, he was requested to appear with La Tour before the Governor and assistants, that the charge might be duly investigated. The facts were as follows. Mr. Vines being on a trading voyage to the eastward, fell in with La Tour, and sold him goods to the value of 400 beaver skins. At the same time, the French officer informed him that he had a commission from his government to make prize of all who traded in that quarter, and warned him to forbear in future, but gave him liberty to trade while on his return, provided he erected no tradinghouse or fort on the coast. Mr. Vines, however, landed his goods at Machias afterwards, and set up a wigwam or camp, in which he left five men provided with firearms, and a small vessel, and returned home. Two days after, La Tour cast anchor before this place, when one of Vines's men went on board his vessel to make the necessary explanations. In the meantime, some of the French crew landed, and as they were going towards the wigwam, apparently with hostile intent, one of the men left there attempted to discharge a gun. The Frenchmen immediately fired on them, and killed two of their number. La Tour afterwards made prisoners of the others and seized the goods, and sent them to a French port. The men were there discharged, but the goods were adjudged to

be lawful prize. Mr. Vines maintained that he did not exceed the liberty given him by La Tour, having merely set up a temporary shelter for his goods, which he showed to be of the value of 400*l*. La Tour, finding that the facts were against him, and wishing to quiet the minds of his judges, promised to have the circumstances investigated at a future time, and to make satisfaction, if it appeared that he had done wrong. Pacified by these promises, the governor permitted him to enlist ships and men in his service to act against his rival at Penobscot.

The following year Mr. Vines in company with Capt. Warnerton of Pascataqua, and Mr. Short of Pemaquid, made a visit to St. John for the purpose of collecting their debts. On their way, they put in at Penobscot, where they were detained several days by D'Aulnay. When liberated, they proceeded to St. John, and were hospitably received by La Tour. At this time an expedition was fitted out by him against Penobscot, in which a number of Englishmen embarked, who happened to be at St. John; among others, Capt. Warnerton. The enterprise was unsuccessful, and cost Warnerton his life.\*

A visit of Mr. Vines to the White Mountains, described by Winthrop, is worthy of notice. It was performed in the month of August, 1642, by him in company with Thomas Gorges, the deputy-governor. Darby Field, who was living at Exeter 1639, has the credit of being the first traveller to these mountains. His journey also is described by Winthrop, who says it was performed in the year 1642. He appears to have returned by the way of Saco. "The report he brought," says Winthrop, "of shining stones, &c. caused divers others to travel thither, but they found nothing worth their pains. Mr. Gorges and Mr. Vines, two of the magistrates of Sir F. Gorges' province, went thither about the end of this month," (August.) They set out, probably, a few days after the return of Field, dazzled by visions of diamonds and other precious minerals, with which the fancy of this man had

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\*The dissensions of La Tour and D'Aulnay have been made the subject of an agreeable tale, called "the Rivals of Acadia," printed at Boston 1c27.

garnished his story. "They went up Saco river in birch canoes, and that way they found it 90 miles to Pegwagget, an Indian town, but by land it is but 60. Upon Saco river they found many thousand acres of rich meadow, but there are ten falls which hinder boats, &c. From the Indian town they went up hill (for the most part) about 30 miles in woody lands, then they went about 7 or 8 miles upon shattered rocks, without tree or grass, very steep all the way. At the top is a plain about 3 or 4 miles over, all shattered stones, and upon that is another rock or spire about a mile in height, and about an acre of ground at the top. At the top of the plain arise four great rivers, each of them so much water at the first issue as would drive a mill: Connecticut river from two heads at the north west and south west, which join in one about 60 miles off; Saco river on the south east; Amascoggin, which runs into Casco bay, at the north east; and the Kennebeck at the north by east. The mountain runs east and west 30 or 40 miles, but the peak is above all the rest. They went and returned in 15 days."\* This description of the mountains was probably communicated by Mr. Vines to Gov. Winthrop. It conveys a very accurate idea of them, as they now strike the traveller.

Mr. Vines removed to Barbadoes, W. I. about the close of the year 1645. From some expressions contained in the subjoined letters addressed by him to Gov. Winthrop after his departure, it may be inferred that he had become embarrassed in his private affairs. This circumstance, together with the prospect of being subjected to the authority of his political, and perhaps, personal enemy, Cleaves, probably induced him to remove. Great numbers of English planters flocked to the island of Barbadoes at that period, which was first settled only twenty years before, and yet, in 1650, contained a population of more than twenty thousand whites, and a much greater number of blacks and Indian slaves. The inhabitants were chiefly royalists, many of whom left England on account of the predominance of the republican party.†

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\*Journal ii. 89. †Mod. Univ. Hist. xli. 137.



## LETTERS FROM R. VINES TO GOV. JOHN WINTHROP.

“Right Worshipful and ever honoured Sir—I undertake not to give you a relation of this island, presuming you know more thereof than I can express. But my real respects to your worthiness enjoin me to salute you with a line or two, not only to show my gratefulness for former favors, but still desiring to keep correspondency with you, who have always respected me beyond my deserts. I shall be joyful you had any service here to command me, to make good my poor expressions in real actions. This gentleman, Mr. John Mainford, Mer. is coming to your port to trade for provisions for the belly, which at present are very scarce by reason of 5 or 6 months dearth, and not that only, but men are so intent upon planting sugar that they had rather buy food at very dear rates than produce it by labor, so infinite is the profit of sugar works when once accomplished. I have by God’s assistance settled myself in two plantations adjoining, containing 50 acres, which I hope after six months will maintain me and mine comfortably, besides my practice of physic which is worth at least 10,000 lbs. tobacco, per annum. Yet it is hard with me by reason of my great payments for my plantation and negroes and other necessary disbursements already paid to the value of 40,000 lbs. tobacco, which keeps me bare at present ; I doubt not but the next crop proving well, to be better able to live than I have been many years. Mr. Parker\* with his wife and family is well seated in a good plantation of 20 acres, besides a good stipend and many good gifts, well approved of in his function, opposed by none unless by Antinomians and such like. I bless God my family continue in good health, all liking the Island well, notwithstanding the change of diet, which at present is yet but slender, yet far from want. I fear not but within 6 months to live as plentifully as any man upon this island, according to my proportion. I have at present 16 acres of corn planted at the least, as much (more) corn for my provisions be-

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\*Rev. James Parker, second minister of Portsmouth, N. H. where he was settled 1642. Adams’ Annals of Portsmouth.

sides tobacco. The next year I intend for sugar, at present I cannot. Thus ceasing further to trouble you save with my respective service to yourself, your virtuous wife, with your sons and daughters, and to the Rev. divines Mr. Cotton and Mr. Wilson, to my worthy friends Major Gibbons and Mr. Hill, leaving you all to Israel's protector—resting Your Assured friend and servant,

RICHARD VINES.

BARBADOES, 19 July, 1647.”

R. VINES TO GOVERNOR WINTHROP.

“Barbadoes 29 April, 1648.

Right Worshipful and my ever honored friend,—Your kind letter of the 24 August I received, which was most welcome to me, esteeming it a high favor that you will vouchsafe to keep correspondence with so undeserving a friend. I perceive by your letter that the Lord did shake his rod over N. England; it was his great mercy only to put you in remembrance.\* We have felt his heavy hand in wrath, and yet I fear, are not sensible of it, for here is little amendment or notice taken of his great punishments. The sickness was an absolute plague; very infectious and destroying, in so much that in our parish there were buried 20 in a week and many weeks together 15 or 16. It first seized on the ablest men both for account and ability of body. Many who had begun and almost finished great sugar works, who dandled themselves in their hopes, but were suddenly laid in the dust and their estates left unto strangers. Our N. England men here had their share, and so had all nations especially Dutchmen, of whom died a great company even of the wisest of them. The contagion is well nigh over, the Lord make us truly thankful for it and ever mindful of his mercy. I saw your son here, he made but little stay but went for Christopher's with his cargo; he is a very hopeful gentleman. If the Lord please to send him here again or any other of your

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\*An epidemic which appears to have been the influenza, prevailed throughout the American settlements in 1647, and proved very fatal. It extended to the W. Indies. Hubbard. 532. The recurrence of this disease at later periods, is noticed by Hutchinson, Hist. i. 141.

sons, I shall be ready to serve them in what I may. I hear the Lord hath graciously recompensed your incomparable loss with another most virtuous and loving wife: many and happy be your days together. Sir, I shall take it as a great blessing from God to give me a good occasion to serve you or any of your children, here or elsewhere, that I might exercise my thankful remembrances for all your courtesies. No more at present but my humble service to yourself and virtuous wife and to all your sons and daughters, committing you all to the protection of almighty God. Ever resting your assured loving friend and servant,

RICHARD VINES.

I pray, Sir, be pleased to present my best service to Mr. Dudley, Mr. Bellingham, Mr. Stebbins, and the Rev. ministers Mr. Cotton and Mr. Wilson.”\*

It is gratifying to perceive from the tenor of these interesting letters, that the personal worth and excellent character of our patentee were appreciated by Winthrop and other leading individuals of the Mass. Colony, notwithstanding his strong attachment to the interests of Gorges and of the royal party. Mr. Vines was, besides, a staunch episcopalian, but, as will presently appear, he was not unwilling to listen to religious instruction from a non-conformist, although offended by his covert attack upon the rites and ceremonies of the English church. The last year of his abode among us, Mr. Vines held the office of Governor by the election of the General Court. He had previously exercised the duties of that office before the arrival and after the departure of Thomas Gorges, by virtue of his commission as Steward General of the Province. That his administration of affairs was acceptable to the people in general, may be fairly inferred from the strong disapprobation of the attempts made by Mr. Cleaves in England to injure the reputation of his government, expressed by many of the inhabitants.

Mr. Vines sold his patent before leaving the country to Dr. Robert Child. The following certificate of the transfer is annexed to the copy of the original instrument

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\*Hutchinson's Coll. State Papers. 222.

on record. "I, Richard Vines, of Saco, gentleman, have bargained and sold the patent above specified unto Robert Child, Esq. Doctor of Physick, and given him livery and seizin upon the 20th day of October 1645, in presence of Mr. Adam Winthrop\* and Mr. Benjamin Gilman."

Dr. Child came to New England not long before the date of this purchase. He first appears as a petitioner with others for a plantation at Nashaway, now Lancaster, Mass. in 1644, where a considerable tract had been obtained of the Indians, and a trading house set up the year before.† Dr. Child resided in Massachusetts during the short time he remained in this country, where he became so much involved in political disputes, that he gave little attention to his property at this place. A deed of 100 acres to R. Cumming, in exchange for a like quantity on the other patent, dated July 14, 1647, is the only one executed by him found on record. The following order is without date: "Mr. Doctor Child, Mr. Joseph Bowles hath 100 acres of land next unto Mr. Mackworth's lot; as yet he hath not a deed for it—I pray you confirm it. Yours, Richard Vines." He appears to have had in view the working of mines of the useful metals. For this purpose he brought over from Derbyshire William White, a miner, who made trial, according to his own account, of the York (iron) mines, but "the spirit of solidity and fusion was not in them." White complained that the Doctor and others concerned, failed to fulfil their contract with him. He had been "promised 5s. per day for himself and son, and two cows, and house rent free, and land for himself and all his children;" but he acknowledges that 'the covenanters' had suffered greater loss than himself in the enterprise.‡ The York mines to which he refers, were perhaps in England, on the borders of Derbyshire, where he had been employed.

The severe and arbitrary character of the Massachusetts colonial laws at an early period of the history of

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\*Son to the Governor of Mass. Journal. i. 68. note. †History of Lancaster, by J. Willard: published in the Worcester Magazine, ii. 273. Winthrop. ii. 161. note. ‡White's letter, dated July 24, 1648. 2 Mass. Hist. Coll. iv. 195.

that government, is well known. The inhabitants however respectable, who did not fall in with the prevalent religious notions, were debarred from the exercise of many rights and privileges to which they were fully entitled as members of the civil community, according to the laws of England. In 1646, a number of individuals, 'persons of figure,' as they are styled by Hutchinson, attempted to obtain a modification of the legislative code, by which it might be rendered more conformable to that enjoyed at home. For this purpose, they addressed a petition to the General Court in behalf of themselves and others, in which they complained of the denial of civil rights to such as were not members of churches, and of christian privileges to all who were not members of the particular churches in the country; and prayed that civil liberty and freedom might be forthwith granted to all truly English, and that all members of the church of England or of Scotland of good standing might be admitted to the privileges of the churches of New England; or if the enjoyment of those liberties were denied, that they might be freed from the heavy load of taxes imposed on them. In case redress was refused, they were resolved to appeal to Parliament, "who, they hoped, would take their sad condition into consideration." The petition was signed by seven persons, at the head of whom was Dr. Child.\* The style of it being bold, and not over respectful, it created great excitement throughout that colony, generally adverse to the petitioners. The magistrates or rulers were filled with indignation, and immediately caused them to be arrested for contempt of government. They gave bonds for their appearance at the next court, when they were severally sentenced to the payment of heavy fines. The Doctor, "in regard he had no cause of complaint, and yet was a leader to the rest, and had carried himself proudly in the court," was fined 50*l.*, ten more than any other. The court in passing sentence, reminded them of the resemblance of the crime they had committed, to that of Korah and his troop,

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\*Hutchinson's State Papers. 188.

who were destroyed for rebelling against Moses and Aaron.\*

But the subject did not rest here. Dr. Child prepared to embark for England, to lay the subject before Parliament. This, however, he was prevented from doing by the interference of the magistrates, who caused him to be arrested the evening previous to his intended departure. His trunks were at the same time seized and searched. Similar violence was used towards another gentleman who had signed the petition, in whose 'study' were found copies of letters, &c. designed for England. Dr. Child was carried before the council, by whom he was told that provided his deportment became more respectful towards the gentlemen of the court, "he should be treated in a manner suited to his quality;" otherwise he was threatened with irons and imprisonment. The council then ordered the marshal to take him in custody, in whose keeping he remained until the ships had sailed, when he was permitted to continue a prisoner in his own house on giving bonds for his appearance at the next term of the Court of Assistants. He appeared, but it was agreed to refer his case to the cognizance of the General Court, and he was offered his liberty, restricted, however, to Boston, provided he would give security to appear before that body. The Doctor chose to go to prison rather than comply with these terms, and was accordingly committed. This was in March, 1647.† How soon he was set at liberty, does not appear, nor on what conditions; but the next year we find him in England, where his exertions to effect the same object were also defeated. He appears not to have returned to this country.

A full account of the proceedings in relation to this subject, was published in England after the return of Dr. Child, by his brother, Major Child of Kent, in which the conduct of the petitioners was vindicated. "There was a simultaneous struggle for toleration," says a late writer, "in the old colony, promoted by Mr. William Vassall."‡

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\*Winthrop. ii. 291. †Ibid. ii. 234-301. ‡N. E. Memorial. Note by the Editor. 236.

This attempt likewise failed. The want of success attending the petitioners of both colonies, has been ascribed to the skilful management of Gov. Edward Winslow, of New Plymouth, who was then in England, and in great esteem with many of the members of Parliament and the principal persons in power. In reply to the publication of Maj. Child, Mr. Winslow published a pamphlet entitled "New England's Salamander discovered," "pointing therein at Mr. Vassall," says Winthrop, "a man never at rest but when he was in the fire of contention."

Several members of the court of Assistants dissented from the harsh proceedings against Dr. Child and his fellow petitioners. But Gov. Winthrop, who contended for the divine authority of magistrates, was active in their prosecution. Nevertheless a strong party was raised in their favor, and the following year the re-election of the governor met with serious opposition.

Dr. Child studied medicine at the university of Padua, in Italy, where he received his medical diploma. This circumstance is alluded to in an answer to the remonstrance or petition, which was published with the sanction of the Gen. Court, in the following terms: "The first (and he that must be a leader in this design) is a Paduan Doctor (as he is reputed) lately come into the country, who hath not so much as tasted of their grievances, nor is like to do, being a bachelor, and only a sojourner, who never paid penny to any public charge, though (of his own good will) he hath done something for public use." Dr. Child appears to have been a gentleman of fortune; he of course intended to reside in N. England, and in conjunction with the others, driven out of the country at the same time, would doubtless have proved a valuable acquisition. One only of the petitioners remained in the colony, Mr. Maverick of Noddle's island, 'who had experience enough of the Mass. rulers,' says the candid editor of Winthrop's Journal, 'to know that their intolerance sometimes yielded to interest.' Our own inhabitants had great reason to regret the want of success attending these exertions to introduce the principle of toleration into the civil code of the puritans; since a pa-

tentee so liberal and enterprising as Dr. Child, might justly have been expected to promote the growth and prosperity of the infant settlement.

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## CHAPTER VI.

Our early settlers, as we have already stated, were not like the other fathers of N. England, religious sectarians, flying from the intolerance of their native land. They were emigrants from motives of interest, brought hither by the same impulse that even at the present day carries men of an enterprising character to the very corners of the earth. Cherishing a strong attachment to the church in whose bosom they were reared, one of their first measures was to provide for the support of a religious teacher among them from her communion. In other respects, too, they carefully conformed to the institutions and laws of the mother country, designed to regulate the moral and religious character of the people. Profaneness, neglect of the sabbath, and immoralities of various kinds, were punished by the same penalties that were inflicted in England. In removing to so wide a distance, therefore, from the jurisdiction under which they had lived, the colonists brought with them the salutary restraints and venerated observances that existed there. A community strictly English in its character was thus established on our shores, and continued so to exist until changed in its features by the extension of the power and the principles, both civil and religious, of the puritan colonies.

The first clergyman who settled in the vicinity of Saco river, was the Rev. Richard Gibson. He is said to have come over at the desire of Mr. Trelawney, probably from his having resided at Spurwink near the establishment of that gentleman, and having been partly supported by him. His name first occurs in the records of the courts of 1636, already quoted. It appears from a later record that he had 'corn growing at Saco'; it is probable



enough that the English custom of paying tithes or a tenth part of the products, was practised, although a 'composition' in money was paid by many of the planters. At the close of 1640, or early in the following year, Mr. Gibson removed to Portsmouth. He is supposed to have been the first minister of that place.\* While at Pascataqua, he was summoned to Boston to answer the charge of marrying and baptizing at the isles of Shoals. The laws of the Mass. colony forbade the practice of the clerical duties to any of the church of England. "He being wholly addicted to the hierarchy and discipline of England," says Winthrop, "did exercise a ministerial function in the same way, and did marry and baptize at the Isle of Shoals, which was found within our jurisdiction." Mr. Gibson, moreover, had written a letter to a minister at Dover, Mr. Larkhain, in which he spoke in no very respectful terms of the Mass. government, 'denying their title in those parts,† and thereby disaffecting the people.' For these heinous offences, on presenting himself at Boston, he was committed to custody, in which he continued several days, till at length "he made a full acknowledgement of all he was charged with, and submitted himself to the favor of the court. Whereupon" (continues Winthrop) "in regard he was a stranger and was to depart the country in a few days, he was discharged without any fine or other punishment." So great lenity would not have been shown, it seems, had not Mr. Gibson designed to leave New England immediately. These circumstances occurred 1642.

The Rev. Robert Jordan arrived from the west of England, probably in the summer of 1640. He was appointed in that year arbitrator in a dispute between Cleaves and Royal. Mr. Jordan married the daughter and only child of Mr. Winter, and on the decease of his father in law about 1648, he administered on his estate. In the inventory of property in joint ownership between Trelawney and Winter, the articles of use in the church service are enumerated; the communion vessels, cush-

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\*Adams' Annals of Portsmouth. †Referring without doubt to the prior title of Robert Gorges.

ions, &c. which had been furnished by Mr. Trelawney. In the account exhibited by Mr. Jordan against the estate, we find the following items : "For his charge (of the plantation) one half year, 20*l.*; for his ministry as by *composition*, one half year, 10*l.*" The plantation was deeply in debt to Mr. Winter, and by a decree of the court of Lygonia, the whole property of the patent and the personal estate, and every thing belonging to the establishment, was assigned to Mr. Jordan as his heir.

These early clergymen probably divided their sabbath ministrations between the Spurwink and Casco settlements, and Saco. We find 'the Church Point' mentioned in the boundaries of an estate at Winter Harbor in 1642 ; it is quite probable, therefore, that a small church was erected there. Mr. Jordan continued to reside at Spurwink until the breaking out of the Indian war in 1675, when he removed to Great Island, now Newcastle, at the mouth of the Pascataqua, then a part of Portsmouth. He died at that place four years after at the age of 78 years, bequeathing an immense real estate to his six sons, situated principally in the towns of Scarboro' and Cape Elizabeth. To his wife, whose name was Sarah, the daughter of Mr. Winter, he gave the old plantation at Spurwink, containing 1000 acres of land, and the Nonesuch farm in Scarboro' of 2000 acres ; the reversion of the former, after her death, to his youngest son Jeremiah ; the latter to be disposed of by her to any of the children at her pleasure. To his sons Dominicus, Jedediah and Samuel, each 1000 acres at Spurwink. To his oldest sons, Robert and John, he had before granted estates ; to the former "a tract of land commonly called Cape Elizabeth," making a reservation in favor of John of Richmond's Island, "of ingress and regress to Alewife's pond for bait." John's deed conveyed to him Richmond's island together with 'the houses, stages, and buildings thereupon,' and 300 acres of land lying next adjoining the marsh. The island contains about 300 acres, and is now the property of one of the numerous descendants of Robert Jordan.\*

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\*The name of Jordan was early introduced into the Virginia colo-

The Rev. Thomas Jenner, a non-conformist minister, was preaching here in 1641. The following letter is found in the valuable collection of original papers published by Governor Hutchinson 1769.

LETTER FROM THOMAS JENNER TO GOV. WINTHROP.

WORTHY SIR,—Your pious and good letter I received ; for which I humbly thank you. Your judicious counsel therein I lovingly embrace, as concurring fully with mine owne judgment ; hence have I not troubled the people at all with church discipline, or constitutions of churches, &c. but have bent my whole studdies to shew them their miserable and lost estate without Christ &c. nor have I enveyed (inveighed) in the least measure against the church of England (to my remembrance,) but have been (and still am) very fearfull to give one word of distast about those things, but altogether do seek to gaine them to Christ. True I do acknowledge that after I had been here for the space of a month or six weeks and perceiving them very superstitious (performing man's invention rather than the instituted worship of God) now that I might gaine their good esteeme of God's pure ordinances, and make them see the evil and folly of their superstition and will-worship, I made choice of Ps. 19 and 7 to handle it at large ; and in one of the uses of reproof I bent myself as strongly as I could against the religion of the Papists, and condemned those practices which I saw people here were superstitiously addicted to, in that use against the Papists ; whose religion I showed, at large, consisted either of new instructed worship not mentioned in the law of God, or of God's instituted worship miserably abused, either by their additions or diminutions : and showed the particulars wherein. Now, (I heartily thank God for it) it took a generall good impression, ex-

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ny, and still exists to some extent in the parts of that state first settled. Mr Samuel Jordan is mentioned by Smith (Hist. of Virginia ii. 76) as 'fortifying and living in despite of the enemy' (the natives) after the dreadful massacre in that colony 1622. Thomas Jorden, admitted freeman at Boston 1647, settled in Guilford, Conn. Francis and Stephen were at Ipswich 1634-48. The latter died at Newbury 1670. Farmer's Genealogical Register.

cept Mr. Vines and one more who told me I struck at the Church of England, though I mentioned her not. Whereupon he pressed me to dispute with him about one part, of baptizing infants with godfathers and godmothers; the which I was very loth to dispute about; yet I saw that either I must, or else sit down with shame, for he had called together his whole family to hear it. Now it pleased God so to strengthen me (through the riches of his mercy) that he was utterly silent; and since that time hath manifested more respect and love to me and my master than formerly, and doth take notes of the sermons daily and repeateth them in his family very orderly as I am informed. Thus, Sweet Sir, I make very bold to confirm your worship with the truth of things, though not worth the writing. I have been solicited both from the inhabitants of Straten's Plantation (Black-point) and from those of Caskoe, to be a meanes to help each of them to a goodly minister; wherefore I do make bold to intreat your worship to do your endeavors to furnish them both. Thus hoping ere long to see your face, I leave you in the arms of our blessed Saviour, in whome also I rest, Your Worship's to command till death.

THOMAS JENNER.

SACO, 16 of the 2d, (April,) 1641.

Mr. Jenner settled at Weymouth, Mass. 1636. In a division of land made in that town the same year, two lots were assigned to Mr. Thomas Jenner, senior and junior;\* from which we infer that father and son were both there. Another minister, Rev. Joseph Hull, preached in Weymouth at the same time. In 1637, Winthrop informs us, "Divers of the elders went to Weymouth to reconcile the differences between the people and Mr. Jenner, whom they had called thither with intent to have him their pastor. They had good success of their prayers." It is conjectured that some misunderstanding arose on account of the close neighborhood of Mr. Hull, whose friends may have opposed the labors of Mr. Jenner.

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\*Letter from Hon. C. Webb of Weymouth, communicated by Rev. J. Bent.

There were at that period about sixty families in Weymouth, all living within the circumference of a little more than one mile. The town was represented at the General Court 1640 by Mr. Jenner.\* He soon after came to this place, where he remained about two years. Mr. Jenner was probably the first non-conformist or puritan minister that preached in Maine. He appears to have been pleased with his success in correcting the 'superstitious' notions of our people. In December, 1649, Thomas Jenner of Charlestown, sold to Elder Bate and John Whitman of Weymouth, his dwellinghouse and land in the latter town.† This however may not have been the clergyman, of whom we next hear in Norfolk, England, in a letter from Gov. Edward Winslow, dated at London, April 17, 1651. Mr. Jenner had left his library in this country, which Mr. Winslow then purchased, taking a catalogue of the books, and advancing 50*l.* to him on account of his 'pressing necessities.' Mr. Winslow was at that time the agent of a society formed in New England for the benefit of the Indians; a part of whose plan it was to establish seminaries of learning for their education. The library of Mr. Jenner was purchased in connection with this object. The corresponding committee of the society, in answer to the letter of Mr. Winslow, say: "We shall inquire after the catalogue of Mr. Jenner's books, and endeavor that neither your nor our end therein be frustrated. It is apprehended by some that according to the act of Parliament, an eye may be had in the distributions to the enlargement of the College at Cambridge, whereof there is great need, and the furtherance of learning not so immediately respecting the Indian design."‡

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\*It is supposed by the editor of Winthrop, i. 250, and by Mr. Webb, that it was the minister who represented Weymouth. Were it not against such respectable authority, we should conjecture differently. †Mr. Webb's letter. ‡Hazard, Coll. ii. 178-80.

## CHAPTER VII.

The political affairs of the Province, in which the inhabitants on Saco river bore a conspicuous part, will again demand the attention of our readers. A new claimant to the territory of Maine appeared after the death of Rigby, and assisted in defeating the expectations of the heir of Lygonia. This was no other than the colony of Mass. Bay. As early as 1639, this government set up a claim to Mason's province of New Hampshire by stretching their northern limit three miles above the head of the Merrimac. Their charter or patent conveyed to them "all that part of New England which lies and extends between Merrimac and Charles rivers," and also three miles north of the former, and every part thereof, and the same distance south of the latter. It is evident that the course of the Merrimac was supposed to be only east, parallel to that of the Charles, by the grantors ; but on discovering that its head was situated far to the north of the limit thus established, the Massachusetts patentees determined to take advantage of the error, and overthrow the titles of other proprietors, holding like themselves under the Council of Plymouth. This construction of the charter brought within their jurisdiction nearly all the settlements in Maine. But as Gorges had recently received a royal confirmation of his grant, no attempt was made at that time to extend their claim into his province. The misfortunes of the Lord Proprietor, and the divided state of the towns after the death of Rigby, afforded the colony a convenient opportunity for establishing its jurisdiction in this quarter. In 1652, a committee of the General Court, appointed to determine the northern limits of their patent, reported in favor of a point three miles north of an outlet of Lake Winnipiseogee, supposed to be the head of the Merrimac. A parallel to the equator running through this point, was found to strike Clapboard island in Casco bay, a few miles east of the town of Casco. Commissioners were sent "to treat with the gentlemen of the eastward," in the summer of that

year, who repaired to Kittery for the purpose of conferring with the officers chosen by the Combination. Gov. Godfrey, with his council, resolutely denied the right of Mass. to any portion of the Province of Maine. Thereupon the commissioners published a protest against the authority of Godfrey, declaring the province to be within the limits of the patent of Mass. and invited the inhabitants to submit to the jurisdiction of its government. This document is dated at Kittery, 9 July, 1652.\* An answer to the protest was issued the same day by the officers of the province, in which they say that the bounds of Mass. were determined twenty years before, since which time many grants had been made in this quarter; a sum of £35000 expended in promoting the settlement of the country; and a lawful jurisdiction exercised, which had been acknowledged by Massachusetts, and approved in England. A correspondence passed at the same time between Gov. Godfrey and the Secretary of Mass. in behalf of the General Court. Something was said by the latter, in a conciliatory style, of the favors that would be shown to the inhabitants on acknowledging their jurisdiction, to which Godfrey replies: "As for sharing your favors to us: by your favor, gentlemen, we are loath to part with our precious liberties for unknown and uncertain favors. We resolve to exercise our just jurisdiction till it shall please the Parliament, the Common Weale of England, otherwise to order, under whose power and protection we are."†

An appeal to Parliament had been made nearly two years before by the Combination, praying to be constituted a part of the Commonwealth of England, "that they and their posterity might enjoy the immunities and privileges of freeborn Englishmen;" but without success. It is conjectured that the object of this petition was defeated by the agents of Mass. who represented to Parliament that the petitioners, however respectful in their language, were but royalists in disguise. There was little reason for confidence in that body, therefore, at the present junct-

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\*Hazard. i. 568. †Ibid. i. 567. Sullivan. 331.

ture, and finding that the Mass. government were resolved to persevere with their claim, the inhabitants at length consented to acknowledge the authority of the commissioners, and the jurisdiction of that colony. The board was composed of Simon Bradstreet, afterwards governor of Massachusetts, Samuel Simonds, Thomas Wigen, and Bryan Pendleton, who met the inhabitants of Kittery at the house of William Everett, 16 Nov. 1652. The submission of Gorgeana followed on the 22d of the same month. "Mr. Godfrey did forbear until the vote was passed by the rest, and then immediately he did by word and vote express his consent."\* The commissioners made no farther progress that season. The following year a new board was appointed by the General Court, consisting of Richard Bellingham, Deputy Governor, afterwards Governor of the Colony; Thomas Wigen, one of the Assistants; Maj. General Dennison; Edward Rawson, Secretary; and Benjamin Pendleton. These gentlemen held their first session at the house of Mr. Joseph Emerson in Wells, July 4, 1653. The inhabitants of that town were then summoned to acknowledge themselves subject to the government of Mass. Six only appeared, but on the following day most of them submitted. At the same time, "the inhabitants of Saco being by name particularly called, made their appearance according to their summons, and those whose names are here underwritten, acknowledged themselves subject to the government of the Massachusetts, as witness their hands this 5th of July, 1653:" (Signed) Thomas Williams, William Scadlock, senior, Christopher Hobbs, Thomas Reading, John West, Thomas Haley, Richard Hitchcock, James Gibbins, Thomas Rogers, Philip Hinkson, Peter Hill, Robert Booth, Richard Cummin, Ralph Tristram, George Barlow, and Henry Waddock.† Power was granted to three of this number to receive the submission of others, and the same year we find these additional names: Ambrose Berry, Nicholas Buly, Andrew Auger, or Alger, John Halycom, John Leighton, senior, Roger

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\*Report of the Commissioners. Mass. Records. †Ibid.



Hill, Edward Andrews, Mr. John Smith, William Scadlock, junior, Walter Pennell\*. The inhabitants became freemen of the colony by taking the customary oath of freedom, which bound them to be faithful to the government, and to give their vote and suffrage in matters of state, as they should in conscience judge best for the public good.† The limitation of freedom, or the right of citizenship, to members of the churches of the Colony, was still in force, but was dispensed with in relation to the inhabitants of Maine, from manifest necessity, the greater part of them being of the church of England.

A sense of the injustice of the Mass. claim and a deep-rooted aversion to the principles of that colony, operated strongly on many of the inhabitants, and led them to express an open contempt of its assumed jurisdiction. John Bonython, together with Mr. Jocelyn of Black-point, and Mr. Jordan of Spurwink, were so active in their opposition, that an order was issued for their arrest. The two latter were required to give bonds for their appearance before the General Court. Bonython escaped, whereupon a decree of outlawry was published against him in the following words :

“Colony of Massachusetts Bay. At a general court held 1658. Whereas the town of Saco, within the line of our patent, in or near the bounds whereof John Bonython liveth, have generally submitted themselves and their lands to the government and jurisdiction of the Massachusetts : and whereas there are great and frequent complaints made to this court, by several credible persons, that the said Bonython, attending no government, doth molest both his neighbours, and others that occasionally traffic or fish in those parts, and by his outrageous carriages hath maimed some, and put others in danger of their lives, by his lawless and imperious actions. And whereas legal courses have been taken, and much patience has been used for his reducement into some tolerable demeanor, hitherto not only in vain, but instead of compliance, he hath sent contemptuous and rayling re-

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\*Town Records. †‘Ancient Charters and Laws of Mass. Bay.’ p. 712.

turns to this government or authority here. Whereupon, this court considering the premises, doth declare the said Bonython a rebel, or common enemy, and intend to proceed against him accordingly ; yet because this court is very loth to use extremities, if it may stand with justice, our peace and honor, to exercise some further delay, therefore this court doth hereby express themselves willing to give the said Bonython time till the first day of August next, peaceably to render himself into the hands of the governor, and such other of the magistrates as shall then be in or near Boston, that his case being duly and seasonably considered, there may be such an issue put to the same, as shall be meet ; which clemency thus tendered, if neglected or contemned, it is resolved by this court, to proceed against him as a rebel or common enemy, to the people of these parts of New England and this government, in special to the people inhabiting near unto the place of his residence. And further this court doth impower any person that hath submitted to this government after the first of August, to apprehend the said Bonython by force, and bring him, alive or dead, to Boston, declaring and proclaiming, that whosoever shall so do, shall have twenty pounds paid him for his service to the country, out of the common treasury, which may be levied, with other charges, upon the said Bonython's estate."

Messrs. Jordan and Jocelyn appeared in 1657 before the General court, and had their recognizances discharged ; and Bonython, the following year made his submission as follows : "Whereas the General Court have taken great offence against me as appears by their proclamation sent out the last court holden at Boston, for several offences therein expressed ; Now by what you their Commissioners have spoken in reference thereunto, and also having had time to reflect upon my former actions, I do freely acknowledge my great miscarriage therein, and especially by my rash provoking letter sent to the magistrates or Gen. Court, for which I am heartily sorry, and do humbly and thankfully accept of the act of indemnity and oblivion passed by your Worships, this present

court, with special respect to my particular case, having first testified my submission to the authority of the Mass. jurisdiction.

JOHN BONYTHON.

At a Court holden at Falmouth, July 14, 1658."

The Commissioners forthwith issued the following proclamation: "Whereas John Bonython for several offences mentioned in a proclamation of the last general court, had time afforded him for his yielding himself into the hand of authority; and to give satisfaction touching the same, otherwise after the first of September to stand in peril of his life, as by the said proclamation doth appear, and whereas the court sent us their commissioners, whose names are hereunder written, invested with power, amongst other things, to grant protection and immunities, and to settle the government in Yorkshire to the utmost extent of their line; the said Bonython did personally appear before us, sitting in open court, and after some time spent in setting forth the evils of such miscarriages, and provoking offences, as were set forth in said proclamation mentioned, he the said Bonython, made his full acknowledgement under his hand, and yielded, and subscribed his subjection to this government, whereby any man may now have his legal course in any civil action against him. The people of these parts also having fully submitted themselves unto the government of the Massachusetts; wherefore we thought it necessary forthwith, to make this matter known throughout the country, that the dangers of the life of the said John Bonython may be prevented, which if henceforth any should attempt it, is contrary to the intent of the general court, the end being obtained which was intended, namely, his redcement; and we hereby declare his discharge." Signed by the commissioners.

In the meantime Mr. George Cleaves sent a petition to Mass. in behalf of the province of Lygonia, and from the reply made to him, he appears to have offered proposals for a compromise of some sort. "In answer to the propositions presented to the court by Mr. George Cleaves, employed by several inhabitants of the northern parts of our patent, pretended by them to be the pro-

vince of Lygonia, the court having compared the patents produced by Mr. Cleaves with our own, do find ours to have the precedency," &c. This document is dated 24th October, 1655.\* The same year, Capt. afterwards Gov. John Leverett, being appointed agent of Mass. in England, received instructions from the General Court, touching this subject among others. Cromwell being then at the head of affairs, great care was taken to secure his favor to the colony; in the language of Leverett's instructions, "that all complaints made against them by one or other might take no place in his princely breast." "If any complaint be made by Mr. Rigby, concerning our claim by virtue of our patent, as intrenching upon what he calls the province of Lygonia, you may for the present make the best answer you may for the reasons expressed in our answer to Mr. Rigby's agent, a copy whereof we herewith deliver to you, which if it satisfy not, you may crave liberty for our further answer."† Nothing more is heard, however, of Lygonia; in such favor were they of Massachusetts with "his princely highness," the Protector, that all efforts to resist their usurpation were at this time fruitless. The remaining towns in the province submitted in 1658; when Cleaves, Jocelyn, Jordan, Foxwell, Watts, and Benynton, with other inhabitants, took the oath of allegiance. Black-point and Casco received the names of Scarboro' and Falmouth from the commissioners.

The point on the sea-coast terminating the northern line of the Mass. patent as then fixed, seems not to have been determined until late in the year 1653. Messrs. Clarke and Andrews employed for this purpose, reported that "the line ran over the northernmost point of the upper Clapboard island, about a quarter of a mile from the main in Casco bay, four or five miles to the northward of Mr. Mackworth's house." This gentleman dwelt many years near the mouth of Presumpscot river, on the eastern side, where he received a grant of 500 acres from Mr. Vines as the agent of Gorges, in 1635.

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\*Hazard. i. 298. †Ibid. i. 607.

The place is now called Mackay's point.\* East of Clapboard island, therefore, Mass. claimed no jurisdiction. The colony of New Plymouth, through their Kennebec patent, established a government in that quarter 1654, to which the inhabitants with Mr Thomas Purchas of Pegypscot, at their head, yielded obedience.

Thus the 'engrassing' colony of Mass. Bay, as it was aptly termed by Godfrey, and its sister of Plymouth, divided among them the lawful inheritance of the heirs of Gorges and Rigby. The former constituted the newly acquired territory a county with the name of Yorkshire. An annual court was ordered to be holden at York, by one of the Assistants or principal magistrates of the Colony, together with four associates or commissioners, to be nominated by the freemen of the county, and approved by the General Court. The first bench of associates was composed of "the right trusty" Mr. Edward Godfrey, (late governor,) Mr. Abraham Preble, Mr. Edward Johnson, and Mr. Edward Rishworth, all of York. Henry Norton, of the same place, was appointed marshal or sheriff of the county. The first court under this jurisdiction sat in 1653, at which the 'Right Worshipful Richard Bellingham,' presided.† The associates, or a part of their number, were authorized to hold inferior courts in different towns of the county.

This state of things continued without interruption until after the restoration of Charles II. to the throne of England, in 1660, when the old party favorable to Gorges began to revive. Sir John Gorges was now dead, and the estate had passed into the more efficient hands of his son, who inherited something of the resolute spirit of the old proprietor. The young Sir Ferdinando petitioned the crown to be restored to his lawful inheritance, and communicated with a number of the inhabitants of the province, opposed to the jurisdiction of Massachusetts.

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\*Perhaps a corruption of the name of the old proprietor. See Moody's Chart of Casco Bay.

†Mr. Bellingham is said to have had more agency than any other magistrate, in framing the legal code of the Mass. Colony. Hutchinson. Hist. i. 386.

He obtained letters from the King addressed to the governor of that colony, requiring restitution to be made forthwith to his agent, or otherwise to show reason for their occupation of the Province. The colony in return made a humble address to the throne justifying the course they had taken. The agent of Gorges Mr. J. Archdale, meantime came into the Province with commissions to the following persons as counsellors or magistrates under his authority ; viz. F. Champernoon, Robert Cutts, and T. Withers, of Kittery ; E. Rishworth and F. Raynes of York ; J. Bowles of Wells ; Francis Hooke of Saco ; H. Watts of Blue-point ; H. Jocelyn of Black-point ; R. Jordan of Spurwink ; Francis Neale of Casco ; and T. Purchas of Pegypscot. Numerous prosecutions of the disaffected inhabitants soon after followed in the courts of Mass. Jocelyn, Champernoon, Jordan, and Nicholas Shapleigh were presented by the grandjury in 1663, "for acting against the authority they were under, and so renouncing the authority of Mass., using means for the subverting thereof under pretence of a sufficient power from Esq. Gorges to take off the people, which is manifest to the contrary." William Hilton of Kittery,\* constable, was presented "for tearing of a special warrant, sent by the Secretary from Boston to Kittery for sending a deputy to the General Court." "We present," say they, "the freemen of Saco, Mr. Williams, R. Hitchcock, R. Trustram, H. Waddock, J. Gibbins, Nic. Edgecomb, E. Sanders, J. Smith, R. Cummins, T. Rogers, J. Bonighton, and R. Hill, for their neglect in not submitting to such commands as have been required, in the due observing of such orders as by oath as freemen they have bound themselves unto. We present Mr. Thomas Booth for vain swearing and slandering the country by saying 'they were a company of hypocritical rogues, they feared neither God, nor the King,' with other uncivil speeches. We present Mr. Fr. Hooke, who upon the Lord's day, after Mr. Fletcher (minister of Saco) had exhorted the people to be earnest in prayer to the Lord to direct them

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\*Sullivan, 373, says *Arundel*, a name of much later date.

in respect they were under two claymes of government ; the said Hooke starts up and answers Mr. Fletcher, 'he need not make such a preamble, for they were under Gorges' authority.' And the said Hooke doth act by his authority, granting warrants, summonses, taking depositions, and hearing causes. We present Mr. R. Jordan for saying (among other things) that the governor of Boston was a rogue, and all the rest thereof traitors and rebels against the King. We present James Wiggins,\* who being at Wells about May last was twelve month, being asked by Goody Greene whether said Wiggins would carry in a dish of meat to the Bay Magistrates," (then sitting at Wells,) "answered with an oath, 'if it were poison he would carry it them.' The court sentenced Wiggins to receive 15 lashes, and to find bonds of good behaviour, but afterwards commuted the punishment to a fine of ten pounds. Mr. Francis Small was required to answer "for saying in open court that Mr. Geo. Cleaves was a traitor, and that he could prove that the said Cleaves said, that the King was an atheist, a papist, &c. and it was proved in court that Cleaves so spake."

Charles II. directed his attention to New England soon after his restoration. In 1664, he appointed four Commissioners to visit all the colonies, "with full power to receive and determine complaints and appeals in all causes and matters, and to settle the peace and security of the country."† Three of the Commissioners, Sir Robert Carr, George Cartwright and Samuel Maverick, Esquires, came into this quarter in the summer of 1665, when they issued the following proclamation :

"June 23, 1665.—By the King's Commissioners for settling the affairs of New England. We having seen the several charters granted to Sir F. Gorges and to the corporation of Mass. Bay, and having received several petitions from the inhabitants of the Province of Maine, which is laid claim unto both by the heir of Sir F. Gorges and the said corporation, in which petitions they de-

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\*Sullivan says *Thomas*, and gives a somewhat different version of the story 373.

†See the commission, Hutch. Hist. i. Appx. 15. Hazard. ii. 638.

sire to be taken into his Majesty's immediate protection and government, and having considered that it would be of ill consequence if the inhabitants of this province should be seduced by those of Mass. Bay, who have already by the sound of the trumpet denied to submit themselves unto his majesty's authority, which by commission under his great seal of England he hath been pleased to entrust us with, looking upon themselves as the supreme power in these parts, contrary to their allegiance and derogatory to his Majesty's sovereignty : and being desirous that the inhabitants of this province may be at peace among themselves and free from the contests of others and the inconveniences that may thence necessarily arise, To the end that may be so : We by the powers given us by his sacred Majesty under his great seal of England, do by these presents receive all his Majesty's good subjects living within the province of Maine into his Majesty's more immediate protection and government. And by the same powers, and to the end this province may be well governed, we hereby nominate and constitute Mr. F. Champernoon and Mr. R. Cutts of Kittery, Mr. E. Johnson and Mr. E. Rishworth of York, Mr. Samuel Wheelwright of Wells, Mr. F. Hooke and Mr. William Phillips of Saco, Mr. George Mounjoy of Casco, Mr. H. Jocelyn of Black-point, Mr. R. Jordan of Richmond's Island, and Mr. John Wincoll of Newichawanock, (Berwick,) Justices of the Peace, and we desire, and in his Majesty's name we require, them and every of them, to execute the office of a Justice of the Peace within the Province of Maine. And we hereby authorize and empower Mr. H. Jocelyn, and Mr. E. Rishworth, Recorder, or either of them to administer the oath underwritten, (which themselves have taken before us,) to all the aforementioned gentlemen who have not taken it, before they shall act as Justices of the Peace. And we hereby give power and authority to any three of the abovenamed Justices of the Peace to meet at convenient times and places as heretofore other Magistrates have met, or as they shall think most convenient, and there to hear and determine all causes both civil and criminal, and to order all the affairs of



Province for the peace, safety and defence thereof, proceeding in all cases according to the laws of England as near as may be, and thus to do until his Majesty please to appoint another government. And in his Majesty's name we require and command all the inhabitants of this Province to yield obedience to the said Justices acting according to the laws of England as near as may be. And in his Majesty's name we forbid as well the Commissioners of Mr. Gorges, as the corporation of Mass. Bay, to molest any of the inhabitants of this Province with their pretences, or to exercise any authority within this province, until his Majesty's pleasure be further known, by virtue of their pretended rights. Given under our hands and seals at York within the said Province the 23 day of June, &c. 1665." Signed and sealed by the commissioners abovenamed.\*

A provincial form of government, so ardently desired by a large proportion of our inhabitants, was thus re-established. Maine once more assumed an independent relation to the other colonies of New England. The friends of Gorges, relieved from the jurisdiction of Mass. and led to expect a speedy recognition of his proprietary claims, warmly supported the authority of the royal Commissioners. General Assemblies, composed of all in commission, and of burgesses, or deputies, from the several towns, were holden at this place, which appears to have been made the seat of the government. The Commissioners (who remained only a few weeks in the Province) directed that 'if the justices were equally divided on any subject, Mr. Jocelyn should have the casting vote; if he is not present, Mr. Jordan.' Another order allowed juries of seven men to be impaneled for the trial of cases, 'on account of the fewness of the inhabitants'.† The first inferior court under this organization

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\*County Records. Sullivan takes no notice of this document. It probably escaped his enquiries. The Duke of York had a jurisdiction at this time east of the Kennebec, which Sullivan erroneously supposed to have extended west of that river.

†A similar regulation existed in New York at that period. Smith. Hist. N. Y. 43.

of the government, was holden at Wells in July following; the second at this place, Nov. 7. At the former it was ordered that 'every town shall take care that there be a pair of stocks, a cage and coucking stool\* erected between this and the next Court.' William Phillips was appointed Major of the forces in the Province; R. Hitchcock and John Lazir, officers of the Saco and Cape Porpoise company. How long this state of things continued, will appear in a subsequent chapter.

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## CHAPTER VIII.

Our oldest existing book of town records commences with the year 1653, when the inhabitants passed under the jurisdiction of Massachusetts. Nothing is known, therefore, of the administration of town affairs before that time. The Mass. Commissioners, who had full power to arrange all matters, local as well as general, in the province, as they thought proper, ordered as follows:

"1. That Saco shall be a township by itself and always shall be a part of Yorkshire and shall enjoy protection, equal acts of favor and justice with the rest of the people inhabiting on the south side of the river of Pascataqua, or any other within the limits of our jurisdiction, and enjoy the privileges of a town as others of the jurisdiction have and do enjoy, with all other liberties and privileges in our jurisdiction.

2. That every inhabitant shall have and enjoy all their just proprieties, titles and interests, in the houses and lands which they do possess, whether by grant of the town possession, or of the former general court.

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\*This instrument for the punishment of common scolds, consisted of a long beam moving on a fulcrum, like a well-sweep, extending over a pond or other collection of water; on one extremity of which a seat was placed for the culprit. By a natural corruption it was often called the *ducking* stool. Jacob Law Dict.

3. That all the present inhabitants of Saco shall be freemen of the county, and having taken the oath of freemen, shall have liberty to give their votes for the election of governor, assistants, and other general officers of the country.

4. That the said town shall have three men approved by the county courts from year to year, to end small causes as other townships in the jurisdiction have, where no magistrate is according to law : and for the present year Mr. Thomas Williams, Robert Booth, and John West, are appointed and authorized to end all small causes under 40s. according to law. And further these commissioners or any two of them, are and shall be empowered and invested with full power and authority as a magistrate, to keep the peace, and in all civil causes to grant attachments and executions if need require. Any of the said commissioners have power to examine offenders, to commit to prison, unless bail be given according to law, and where these or any of these, shall judge needful, they shall have power to bind offenders to the peace on good behaviour. Also, any of the commissioners have power to administer oaths according to law, also to solemnize marriages according to law. It is further hereby ordered, that for this present year Mr. Thomas Williams, Robert Booth, and John West, shall be the selectmen to order the prudential affairs of the town of Saco for this year. Lastly, it is granted that the inhabitants of Saco shall be from time to time exempted from all public rates, and that they shall always bear their own charges of the courts, and arising from among themselves. Ralph Tristram is appointed constable, and William Scadlock clerk of the writs and grandjurymen for this year. Richard Hitchcock is appointed and authorized as a sergeant to exercise the soldiery."

The first meeting of the inhabitants of which a record has been found, was holden a week after their submission, 12 July. A division of the great marsh in the lower part of Vines's patent, was then made. The following is a transcript of the record.

"July 12, 1653. The freemen of Saco being mette together to make division of lands and midows, first the

great marsh is divided as foloweth : The maine body of the marsh into 7 lotts 3 ackors to a lott thus : In the northeast corner Richard Cooman 4 pole  $\frac{1}{2}$  southwestward : Christopher Hobbs 4 pole  $\frac{1}{2}$  next to him : on the southwest Petter Hill 4 pole  $\frac{1}{2}$  : next on the southwest Nickolas Buly 2 pole  $\frac{1}{2}$  which 2 p  $\frac{1}{2}$  runs quit through to the north west 50 pole in length. At the northwest corner Andrew Auger the same length and bredth opposed to Richard Cooman 4 pole  $\frac{1}{2}$  Ambrose Beirie next to him westward : John Holycom next to Birie : and the cornors of marsh is divided amongst them 7 : John West is allotted the Cow Iland in lew of his part in the great marsh : Thomas Haile (Haley) is granted 2 akors of marsh next Puding point in that marsh at the end of the railes in the Cove : and the quantitie of an akor of upland adjoining to them most meete to plant upon and the most part of Puding point that portion of ground by Phillip Hinksons house is to be devided betweene them as may be most convenient for their use. Richard Cooman (Cumming) is granted one akor of marsh in the cove at the end of the railes next Thomas Hailes 2 akors of marsh. This much is divided and granted this 12 of July by the selectmen of Saco 1653 Thomas Williams, Robert Booth."

The next record, dated July 17, continues the division. "John Lighton is granted 6 akors of marsh being betweene Stonie stand and the seawall abuting upon the great pond from the upland streight down to the Creeke at the seawall being at the southwest end of the pond. Ralph Trustrum is granted to have his six akors mensioned upon his lease to ly in the cove at the southwest end of John Lightons marsh. Also Ralph Trustrum is granted 5 akors more of marsh at the lower end of his 6 akors on both sides the Creeke next J. Leightons running downe by 2 points of rockes to the Creeke. It is granted to R. Booth to have all those porshions of marsh about Stonie Stand point from his house about point north east to the mill and so to J. Lightons marsh. Water Pennell is granted 2 akors of marsh next Ralph Trustrums marsh on the southwest. It is granted to R. Booth and W. Pennell to have all that neck of land commonly called Stonie





Stand being 60 pole in bredth or thereabout be it more or less and so up into the woods south west until 150 akors be compleated with all the profits thereto belonging to the same next to R. Trustrums on the south east of his lott."

The following grant relates to the first sawmill erected on this river.

"Sept. 27, 1653. It is granted by the townesmen of Saco that Roger Spencer have libartie to set up a sawmill within their township provided that he doth make hir redie to doo execution within one year, and also that he shall have sufficient accomodation for such a work upon this condition that all the townsmen shall have bordes 12d in a hundared cheaper than any stranger. Secondly that the townsmen shall be imployed in the worke before a stranger provided that they doo their worke so cheap as a stranger : this acomodation we have granted to him and his heaires forever."\*

A similar grant was made not long after as follows. "Saco the 11 month, 17 day 1653. (Jan. 17, 1654.) Granted to John Davies of York to have the priviledge to set up a sawmill upon the great falls of the river of Saco any where within the township of Saco and to have acomodation suffisient for that worke the most convenient that he can find next to Roger Spencer lately grant but not hinder any other worke or accommodation that hereafter shall be granted if posible he can prevent their prejudice or hinderance of any man. Also the said John Davis shall have timber land and midow suffisient for his worke if it is to be had about and above the falls ungranted he is to finish this work within 2 years  $\frac{1}{2}$  after the date hereof, that in case he do not finish it by that time yet he shall thenceforward pay all dues hereafter mentioned in this covenant according to a proportionable value as by diligent imployment may be raited. And he is to set the townesmen on work above and before others strangers and buy provisions of them before strangers at price current. The towne is to have bordes of him for their own use at 10d a 100 under price curent. Also John Davis

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\*Sullivan, p. 221, was not very successful in decyphering this grant.

shall set up his forge in Saco and do such work for the inhabitants as they shall have need of in time convenient for curent price and curent pay so long as he (is) inhabitant in Saco or hath a dwelling there."

The earliest entire list of town officers is dated 16 June 1656, when were chosen Ralph Tristram, Constable ; T. Rogers, Grandjuryman ; Thomas Williams, Ambrose Berry, and Robert Booth, Commissioners : R. Booth, Clerk of the Writs ; (equivalent to town clerk ; ) Henry Waddock, Mr. T. Williams, James Gibbins, R. Booth, A. Berry, R. Tristram, and Rich. Hitchcock, Prudential men (Selectmen) ; T. Williams, Town Treasurer.

It was ordered at a previous meeting, 1654, "that if any outner desire to come into towne to inhabite, they shall first put in sufisient not to be chargeable to the towne." In 1659, we find, "Mr. Edward Colcott is received an inhabitant into our towne of Saco. Allso he is granted a lott in our towne lying on the southwest side of our river 20 poles broad next N. Buly, jr. and all the upland in the tract to fourtie pole in length being on the north west side Buly's house And foure akors of marsh lying on the southwest side of Little river next William Scadlock between him and Rich. Hitchcox about the islands." In 1671, a fine of ten pounds was imposed on this lot 'for want of improvement according to town order.' This person was doubtless the same mentioned in a former chapter, who according to Hubbard came over in 1631 to Pascataqua, and "for want of a better was afterwards for some years together chosen governor of the plantations about Dover."\* N. Buly, jr's, grant was "in Saco river near Puding point upon a little runlitt of water coming out of the woods, in bredth fiftie poles, that is to say : 20 poles on the lower side the gut or runlitt of water, and 30 poles on the hyer side next to John Wests laitely granted."

The town commissioners or justices for the trial of petty cases, entered their doings in the town book. The commissioners were annually elected by the townsmen. "At

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\*See page 43, and Hubbard. N. E. 219. He is styled *Mr.* in our records, a title denoting some consequence at that period.



a commissioners' court held at Saco 1658, James Harman is presented for swearing, cursing, and drunkenness, and is fined fourtie shillings and bound to his good behaviour till the Countie Court, in a bond of ten pounds, and Ralph Trustram for him."

"Nov. 25, 1661. At a town court houlden at Ralph Trustram's house at Winter Harbor—an action of trespass entered by Lieut. William Phillips, plaintiff against Richard Hitchkox, of trespassed in cutting hay or grasse on his marsh. for the plff. 20s. damages and costs of court."

Verdict of a jury of inquest: "The 27 of the 10 month, 1658. A jury being somoned on account of the death of Mary Haile (Haley) brought in this verdict, viz. 'We of the jury about Mary Haile have agreed that according to the evidence given too us that shee was accessary to her own death with over much eating and drinking: we not having any witnesse that shee was forced thereunto.' The jury were these Capt Rogger Spencer, Mr. T. Williams, Mordecai Crawitt, R. Trustram, P. Hill, John Hallsome, Jerimie Unfrees, R. Hill, J. Bouden." Another jury "impannelled to inquire of the death of Lydrack Luscom six yere old. This jury returrne this verdict: That he was drowneded accedentially through his own default."

The town was first represented at the Mass. General Court in 1659, by Robert Booth; the following year by Rich. Hitchcock.\* In 1675, they appointed Capt. Rich. Waldron of Dover to be their deputy; the colony laws not requiring that the representative of a town should be one of its inhabitants.† The town was not represented in the Mass. Gen. Court at any other time during that century. Under the Government of the King's Commissioners 1667, Bryan Pendleton was elected Burgess to attend the Gen. Court of the Province.

In some of the town grants the reservation is made, 'except any one can show a better title than the town hath.' The lands granted were situated in the patent of Dr. Child; the freemen strictly were not entitled to the

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\*Records Gen. Court. †Ancient Charters and Laws. 97.

disposal of them, but no intelligence having been received from the patentee at that time, they assigned lots to those who would improve them, without warranting the goodness of the title. In 1656, three executions were levied on the patent in satisfaction of judgments granted by the court at Salem to Joseph Armitage of Lynn, against Messrs. John Beex and Company of London, a mercantile house of extensive connections in New England. Dr. Child probably sold to them, but at what time we are not informed. Armitage was the assignee of Samuel Bennett and Henry Tucker, creditors of Beex and company. The amount of the executions was about £1300. Bennett, and perhaps Tucker, belonged to Lynn. Mr. Beex was concerned in the Iron Works at that place, commenced 1643, and carried on at considerable expense and loss for several years.\* Armitage came and made his levies at Winter Harbor, but met with some resistance from the inhabitants. He was 'arrested for unjust molestation at the suit of T. Williams and neighbors' they, however, agreed to refer the dispute to the decision of the Gen. Court. The inhabitants seem to have prevailed, as Beex and company subsequently sold to William Phillips Jr. of Boston. They were probably not apprised that Dr. Child had transferred his right in the patent; nor was the fact of its having become the property of Beex and company, made to appear with certainty by the claimants. Armitage moreover, behaved with undue violence in asserting his pretended rights, threatening 'to clear his land by fire,' and thus lay waste the improvements made upon it, unless his claims were admitted. The success of the town was therefore a source of satisfaction, and without doubt materially promoted its interests. The claimant was a man of low standing and in embarrassed circumstances.† Mr. Phillips, on the contrary, who purchased not long after the date of these events, was a gentleman of a liberal and enterprising character, as it will appear in the course of the

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\*Lewis. Hist. Lynn. 81. 117. Mr L. remarks that most of the iron used in the Colony at that period was furnished from this source.

†Ibid. 93.

following pages. Mr. John Jefferd, named in the deed of Beex and Co. to Phillips, of which we subjoin a copy, was several years the agent for the Iron Works at Lynn; he commenced his charge at that place 1651.\*

### DEED OF VINES'S PATENT, NOW BIDDEFORD.

"Know all men by these presents that I, William Hawthorne of Salem in New England, Planter and Attorney to Mr. John Jeffard in behalf of Mr. Beex and Company of London, for and in consideration of the sum of ninety pounds to me in hand paid before the sealing and delivery of these presents, Have given, granted, bargained and sold unto Lieut. William Phillips of Boston, Vintner, all that tract of land mentioned in a patent granted by the Right Hon. Robert Earl of Warwick and Company unto Mr. Vines, bearing date 20 Feb. 1629, as in said patent doth more at large appear, which is delivered to him at the sealing hereof, as also Mr. Vines's deed of sale to Dr. Child, To have and to hold all that tract of land above-said with all the appurtenances, &c. to him the said William Phillips, his heirs and assigns forever, warranting and defending the same against Mr. Beex and Company, or any claiming from, by or under them or any of them. In witness whereof I have hereunto set my hand and seal this 11 March, 1658-9. (signed) William Hawthorne." Acknowledged before Gov. J. Endecott. Possession given 13 June 1659, in presence of Edw. Rishworth and William White.†

The following indenture was made between Mr. Phillips and the old inhabitants. "A. D. 1659, 26 Sept. It is agreed and consented unto by Mr. W. Phillips of Boston of the one party, and Mr. Thos. Williams, R. Trustrum, P. Hill, N. Buly, sen. and Christopher Hobbs, of Saco, of the other party; that the said parties having leases and possession of certain lands and meadows from

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\*Lewis. Hist. 97. Mr. Lewis writes the name *Gifford*. He had a son Philip. The Rev. Samuel Jefferds, minister of Wells 1725-52, was born at Salem; we should have supposed him a descendant of the abovementioned gentleman, but family tradition relates that his father, Simon Jefferds, came from England 1700.

†County Records.

Mr. Vines in Saco, they shall freely forever hereafter enjoy the same with all the privileges and profits contained in such their leases and possessions both they and their heirs or assigns forever, for and in consideration of paying one day's work for each lessee if it be demanded within the year, and yearly. And as for all mines, one fifth part shall belong to the state of England, and one half of the rest to the said Mr. Phillips and his successors, and the other half to the possessors and their successors forever ; To the which agreement the said Mr. Phillips doth bind himself, his heirs or assigns in the sum of six pounds sterling to each man herein expressed in case it should so happen that the right and title be at any time hereafter recovered out of the hands of the said Mr. W. Phillips or his heirs or assigns. In witness hereto we have interchangeably set our hands the day and date aforesaid." (Signed by the parties.)

A controversy soon after arose between the town and Mr. Phillips, which came before the Gen. Court, as appears from the following record ; "At a town meeting 5 month 6 day (July 6) 1660. It is a town act that Mr. Robert Jordan and Mr. Richard Hitchcock are empowered as Attorneys, to be advocates to plead the town's privileges, properties and interests with Lieut. W. Phillips, in a case depending between him and the town before the Honored Gen. Court's committee."

The committee consisted of Maj. General Humphry Atherton, Thos. Savage, and Thos. Clarke, Esquires, to whom were also referred the petitions of Geo. Cleaves, of Falmouth, John Bonython and Richard Foxwell, respecting their patents, the latter as heirs of Capt. Richard Bonython. They reported at the October session 1660, as follows : "We whose names are underwritten being appointed by the Gen. Court held at Boston Octo. 18, 1659, to hear and determine certain differences which concern Lieut. W. Phillips, Mr. G. Cleaves, Mr. J. Bonython and Mr. Foxwell, and to make return thereof unto this court ; We accordingly have attended that service and return as followeth : That the town of Saco shall have belonging unto it all the land lying within the bounds hereafter mentioned, viz. from Winter Harbor to Saco

river mouth and from thence up along the river towards the falls as far as the house of Ambrose Berry, and from thence a line to run on a square towards Cape Porpoise so far as the bounds of said Saco go that way, and so down the dividing line between Cape Porpoise and Saco unto the sea, and so along the sea unto Winter Harbour, reserving out of this tract the seawall beginning at a pond about half a mile southward from the mill commonly called Duck pond, and running from the said pond to the mill, and from thence to the rock of land on which Roger Spencer liveth, with the marshes adjoining to the seawall, not exceeding 40 rods broad from said wall ; And also a neck of land commonly called Parker's neck, also sixty acres of wood land adjoining to an allotment late in the possession of Goodman Leighton, now in the possession of Lieut. Phillips, also sixty acres of land lying between Mr. Hitchcock's house and Saco river mouth, where Lieut. Phillips shall make choice of it in any land not in lease ; which aforesaid tract of land so bounded shall be disposed of by the townsmen of Saco, either for commons, or otherwise as they shall see cause, unto which disposal of the aforesaid tract Lieut. W. Phillips doth consent. And all contracts made by any of the possessors of any land within the limits of the patent in Saco, which did belong unto Mr. R. Vines, with Lieut. Phillips are to stand good. And such possessors of land within the said limits as have not as yet contracted for their land that they do possess, are to pay the like proportions of rent which those do who have already contracted. And all other lands laid out within the limits of the patent of Mr. Vines, excepting that neck of land where R. Spencer dwelleth, which said neck is bounded with the end of the sea wall next to it adjoining, to belong unto Mr. Phillips.

“In relation to the complaint of Mr. J. Bonython, We find his patent is in joint to Mr. T. Lewis and the father of Bonython, and that several of those which he complains against, had land from the aforesaid Lewis and his successors ; We therefore order that a due division be made betwixt them if it be not already done. And then those that trespass on any of Mr. Bonython's rights, he

may have his remedy in a cause of law, where we hope he may have justice. \* \* \* As to the complaints of Mr. R. Foxwell, he appeared not there to make any proofs thereof. (Signed by the Committee.) Dated 25 of the 8th month (Octo.) 1660. The court approved of the return of the commissioners and do order it shall be a final issue &c. A true copy. E. RAWSON, Secretary.

Transcribed into York Records, 1 March, 1680-1, by E. Rishworth, Recorder.

The following record from the town-book, relates to the above proceedings. "1661: 2 month 20 day, at a town meeting in Saco there was an order read in the meeting which came from the generall Court concerning the proceeding between Lieut. Wm Phillips the patentie and the inhabitants of Saco, the which Court order and conclusion the maior part of the meeting doth accept. R. Booth town clark."

The town at a subsequent meeting passed a vote that the selectmen "shall have the disposing and allotting of all such lands and meadows as are left to the town's disposal by the Gen. Court's Commissioners, whose disposal the Gen. Court did approve."

Phillips acquired soon after another title to his lands by an extensive purchase from an Indian sachem. This title proved valid where grants had not been previously made. A copy of the deed is subjoined.

INDIAN DEED.—"Know all men by these presents that I, Mogg Hegone, of Saco river in New England, son and heir to Walter Higgon, Sagamore of said River, but now deceased, do for and in consideration of a certain sum received by me, well and truly paid in goods by Maj. W. Phillips of Saco, the receipt whereof I do acknowledge myself being fully satisfied and paid, have given, granted, bargained and sold, and by these presents do aliene, enfeoff and confirm unto the said Major W. Phillips of Saco, a tract of land being bounded with Saco river on the northeast side, and Kennebunk river on the south west side, in breadth from the one river to the other river aforesaid, and in length beginning at the seaside and running up the east river unto Salmon falls, on Saco river, and as

far up Kennebunk river until it be opposite Salmon falls, which falls is to be understood falls about fifteen miles upward from the sawmills at Saco falls, He the said Phillips to have and to hold the said land with all timber land, marshes, and all the growth thereon for him, his heirs, executors, administrators and assigns forever, freely and clearly acquitted, exonerated and discharged from all manner of mortgages, sales, engagements or incumbrances whatsoever. Also I the said Mogg Hegan, do for myself, my heirs, executors and assigns, warrant, save and keep harmless the said Phillips, his heirs or assigns from any manner of person that shall lay claim thereto; for the true performance of the premises, I have this last day of May subscribed my hand and fixed my seal. A. D. 1664.—In presence of John Wakefield, Mary Wakefield.” Recorded 1669.\*

The old lessees in some instances obtained a joint confirmation from the town and the patentee. “At a town-meeting March 13, 1667-8. We the selectmen doo confirme unto Róger Hill joyntly with maier Phillips: that his lease which his father Petter Hill had from Mistris Mackworth in Saco river I say it is ratified and confirmed to the said Roger and his ayers forever as atests Robert Booth Recorder.”

The following indenture, it will be seen, relates to the other patent. “Aug. 9, 1659. It is agreed between H. Waddock and Jas. Gibbins that the said Henry shall begin his utmost bounds (at the) great gutt up above his cornfield norwest and streight north to goose faire pathe and so to follow the pathe along to goosefaire old wading place which tract of land and meddowe betweene that bound and the seashore H. Waddock doth take for full satisfaction for all bargaines and sailes heretofore concluded Said H. Waddock shall be free from all rent and demands heretofore and hereafter paying to the said James his heires or assignes one peppercorn uppon the 29 Aug. if it be demanded.” (signed.) This tract

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\*Sullivan, p. 151, seems to have supposed Phillips had no other title than that derived from the Indian purchase. He probably overlooked the Beex & Co. deed.

extended from the lower part of the river across to Goose-fair brook, and so down to the sea, and contained about 200 acres; it was sold by Waddock's widow to Humphry Scamman 1679. Some years after, 1693, Mrs. Wearwick, as the name is written in the instrument, then of Gloucester, Mass. executed a power of attorney to her son John Tenny, also of Gloucester, formerly of Blackpoint, to recover this land of Mr. Scamman, together with £30 or 40 in money. The war had driven away the inhabitants at that time, and Scamman, who removed to Kittery, had not then completed his purchase.

A few miscellaneous extracts from the town book will not be uninteresting. In 1655 Mr. Thomas Williams was chosen town-treasurer, 'and to take a note of such as contribute to the college.' Contributions in aid of the college at Cambridge were solicited in all the towns at that period. In the court records we find William Wardwell of Wells presented (1654) "for denying the college to be any ordinance of God, and therefore it was not his judgment to give any thing to it, when there was something demanded of him for it."

"4 Month 24 : 1661 A Jewry impanelled to inquier of the death of Thomas Latimer which lived with John Chater of Wells and ran away from him this month and was found drowned in Saco river, as followeth : A list of the jury mens names, Mr. T. Williams, H. Waddocke, John Sparke, R. Trustrum, John Bowden, Freegrace Norton, N. Buly, J. Gibbines, W. Scadlock, William Kirkeet, Edward Andrews, Nickolas Egcome, Edward Clarke, Jacob Wormwood. Thayr verdick is he was accidentally drowned through his owne defallt, taken before me Rob. Booth."

"March 15, 1665-6. At a townemeeting Thomas Harries is admitted into this towne to be an inhabytant." An order was passed at this time imposing a fine of 5s. on every 'housekeeper' who shall absent himself from townemeeting.

"March 21 : 1666 : 67 At a towne meeting the maior parte act as foloweth Captaine Bryon Pendleton chosen Burgess to act for the towne in the generall Court in Aprill next."



"Aprill 12 : 1667 : (same year as above) At a towne meeting the inhabitants being freeholders act as foloweth : First the laws made at the Generall Assembly were read 2 Three men are chosen for judges of small causes under ten pound, namly Captaine Bryan Pendleton Ralph Trustrum Henry Waddock and sworne in the presence of the meeting. 3 James Gibbins chosen for the master of the magasin. 4 Robert Booth chosen Clarke of writs and sworn in &c. 5 It is voated that a sum of twelve pounds be colected too buy powder and shott and other things for the trayne band 6 Ralph Trustrum Thomas Rogers and Roger Hill are appoynted to bring in the minister's stipend this next yeare 1667.

"August 27, 1667. First—James Harman is delt with about misusing his daughter Jane he promiseth not to strike hir any more and his wife Sara promiseth the townsmen that she will take charg of her daughter Jane for the time to come whereupon the townesmen are willing to leave her to them and ther keeping for present upon further tryall. Rob : Booth towne Clarke.

"September, 1668. The townesmen being met at the meetinghouse do acte as follows Maior Bryan Pendleton and the selectmen namely Major Wm Phillips Henry Waddock and Richard Coman these having dealt with James Harman about his cruill usage of his daughter Jane : they make this conclusion : by reason of a former order that was made by the townesmen in Aug. 27, 1667 she shall be kept with good wife Gibbins if hir husband consent till he and his wife have some discourse about it with the selectmen. Attest R. Booth.

"1669. The maior part of this meeting voat that a rate shall be made towards maintaineing old Goodman Sparke by the selectmen with all convenient speed.

"August 1670. At a townemeeting the inhabitants with the townsmen (forbid) Abram Radner his abideing in this towne. 2 Ralph Trustrum is ordered to give warning to William N not to be an inhabitant. 3 Roger Hill is to give warning to Mr. Cook on the same 4 It is ordered that some of the selectmen to speak to Maior Phillips to be securytie for the smith." The original of this record is somewhat torn.

"Octo. 1670. The selectmen of Saco this day met and examined all the demands of Rob. Booth and upon agreement between them and Rob. Booth it is agreed that Rob. Booth shall have in satisfackion for all demands to this day ten pound 3s. 5d. to bee payd in the overplush in the county Rate and the last Rate made for the minister : toward which he has receved from Ralph Trustrum this day four pounds : from John Presbury out of his rate 2-2 ; from Henry Browne for his fines 1-10.

"Nov. 10. 1672. At a general townemeeting James Gibbins senior is chosen selecttman in roome of Robert Booth deceased. It is agreed by the hole towne the selecttmen shall forthwith procure a good new Book for the towne Records and procure all the former ackts and records formerly recorded with Alfabet and pages transcribed. It is the request of the hole towne to Brian Pendleton to take care of the towne Book and supplie in roome of a towne clerck for one hole year following this time except hindered by the providence of God." The above record is signed by Maj. Pendleton, and was doubtless written by him. The same year ; 'Theare is due to Thomas Rogers for goinge Comitioner to York fiveteene shillings, to Ensine Gibbings and John Presbery for killinge two wolves forty shillings.'

"31 of Januarye 1672-3. The selecttmen doth order the constable to gather and colleckt in from the inhabitants of this towne acordinge to the invitory formerly made this yeare one penny farthing on the pownd and the pole mony acordinge to the law, and from Mr. William Downe twenty shillings more." We find no other notice of Mr. Downe, either in the townbook or elsewhere. In October, 'it was ordered that there should bee a letter sent to Mr. Monjoy (of Falmouth) to susspend the prison Rate untill the County Court in July 74.' A prison was built at Falmouth about that time.

## CHAPTER IX.

After a lapse of two centuries it can scarcely be expected that much should be known of the private history of the early planters. Mr. Lewis, the associate of Capt. Bonython in the eastern patent, was unquestionably a gentleman of more than ordinary standing. He was the attorney of the Council of Plymouth for giving possession of the Hilton patent at Pascataqua, a trust which he executed in 1631.\* He had visited New England previously to the year 1630, for the patent was granted to him and Bonython partly "in consideration that Thomas Lewis, Gentleman, had already been at the charge to transport himself and others to take a view of N. England in America for the bettering of his experience in advancing of a plantation." We have seen that he commenced the settlement on the eastern side of the river, now Saco, one year after Mr. Vines took possession of the opposite shore, viz. in 1631. The last notice we have of him before his decease, is in 1637. He died not long after, for it was ordered by the court of 1640, that 'Francis Robinson executor of the last will and testament of Thomas Lewis, late of this plantation, deceased, upon the delivery of the goods and chattels now in his custody belonging to the said testator, unto his creditors, shall be then allowed of such reasonable charges as have been by him expended upon two of the children of the said testator since his death."

Judith, one of the children, married James Gibbins, a planter, about 1647. Another probably married Robert Haywood, who lived at Barbadoes. This person had a joint title with Gibbins to the lands late belonging to Mr. Lewis, and is styled brother in law by the former in several deeds. In one of these, Haywood's order is stated to bear date Barbadoes, January 10, 1660. He could have no other title to those lands conjointly with Mr. Gibbins, than arose from the right of Lewis. Gibbins be-

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\*Belknap. Hist. N. H. i. 20.

came eventually sole proprietor of the moiety of the patent belonging to Mr. Lewis. He came to Saco about 1642, when we first hear of him as the purchaser of Henry Boade's estate at Winter Harbor. The name of Mr. Gibbins is of frequent occurrence in the town records until 1683. In that year he gave the town ten acres of upland and six acres of marsh for the minister. He afterwards removed to Kittery, where in 1690, he executed a conveyance of 100 acres of land in Saco, to his daughter Elizabeth, 'grandchild to Thomas Lewis, the original patentee.' The children of James and Judith Gibbins were eight in number, viz. James, Elizabeth, Thomas, Charity, Rebecca, (died in infancy,) Rachel, Hester, and Anthony. James Gibbins, jr. was one of the selectmen 1674. Thomas, in the deed of 1690, mentioned above, is styled by Mr. Gibbins 'his son and heir.' Elizabeth married John Sharp 1667. She was then at the age of 15. Rachel married Robert Edgecomb. She died 1724 aged sixty three; her husband died 1730 in the seventy fourth year of his age. Their graves are on Rendezvous-point. He was probably a son of Nicholas Edgecomb, who removed from Bluepoint to this town 1660. John, one of the selectmen 1686, was doubtless another son of Nicholas.

This family is supposed to be allied to a noble stock in England. In 1637, Sir Richard Edgecomb received an extensive grant of land from Sir F. Gorges, situated between Sagadahock river and Casco bay. It is supposed by Sullivan that Saco river was intended, but this is very improbable; the territory east of Casco bay, which was the subject of no former grant, was more plausibly fixed upon by the heirs of Sir Richard, who himself paid no attention to the grant. The first attempt to urge this claim was made 1718 by John Edgecomb, agent for a Sir Richard. This was, perhaps, our townsman already mentioned or his son. There is a tradition that one of the Saco Edgecombs went to England by invitation from his noble relatives early in the last century. In 1756, the claim to this tract was revived by Lord Edgecomb, who empowered Sir W. Pepperell, and after his death, Mr. Sparhawk, to recover it for him, but other titles had

become too well established in that quarter, and his lordship lost his case.\* The title of Lord Edgecomb of Mount Edgecomb, is still borne by one of this family.

The Gibbins estate was divided among the heirs in 1730; it was then comparatively small, large tracts having been disposed of by Mr. Gibbins, as will be noticed in another place. There were four sets of heirs: 1. The heirs of Elizabeth Sharp, the oldest daughter of Mr. Gibbins. Her son, Capt. John Sharp, was one of them. 2. The heirs of Rachel Edgecomb viz. her sons Robert and Thomas; and her daughters, Judith, the wife of Abraham Townsend, and Mary, the wife of David Young. 3. Hannah Mace. This was a Kittery name, where the mother of Hannah, a daughter of Gibbins, probably lived. 4. Patience Annable and Rebecca Wakefield, grand daughters doubtless of Mr. Gibbins; but which of his children they represented we are not informed. Mr. Thomas Edgecomb, of the fifth descent from Thomas Lewis, the original patentee, at present occupies a part of the Gibbins estate, which has continued in the uninterrupted possession of this family.

Capt. Richard Bonython was probably settled on his grant as early as his associate, Mr. Lewis.† Our first notice of his presence here, however, is in the record of the Commissioners' court 1636, holden at his house. He was appointed by Sir F. Gorges one of the Counsellors for the government of the Province in 1640. The last court under that authority sat at Wells 1646, when Capt. Bonython was present. The latest transaction in which we find him engaged, is the conveyance of a piece of land July 14, 1647. His death probably occurred not long after, certainly before the year 1653; for he is not enumerated among the inhabitants of East Saco, in a list taken at that time, which contains the name of his son.‡ Capt. Bonython was, doubtless, strongly opposed to the claims of Rigby, but we have met with no evidence that he took an active part in the discussions growing out of them. He seems to have sustained a character for gravi-

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\*Sullivan. 126. †See Appendix D. ‡Mass. Records.

ty of deportment, and was evidently treated with great respect by his associates in office. He was rarely, if ever, a party in any action of whatever kind, but constant in the performance of his duties as a magistrate ; we even find him entering a complaint against his own son, for threatening violence to Mr. Vines. At the same term the court ordered "that Jane Shaw, wife of Edw. Shaw, shall be whipped at the next quarter court holden at Saco, for abusing Capt. Bonython in slanderous and unreverend speeches." Edward recognized in the sum of £50 "to bring his wife to abide the censure of the court." The children of Capt. Bonython were a son and two daughters ; born in England.

John, the son, bore a character the reverse of that of his father. His litigious disposition has already appeared in our extracts from the court records. In 1645, Capt. Bonython said in open court, "that he knew wherever his son met Mr. Richard Vines he would be revenged on him, for he had not forgotten the old quarrel." He did not appear to answer to the charge, and the court proceeded to pass the following decree ; "Whereas J. Bonython of Saco, in the Province of Maine, hath been summoned divers times in his Majesty's name to appear at our courts, and hath refused, threatening to kill and slay any persons that should lay hands on him ; whereupon the law hath had its due proceeding to an outlawry, and divers judgments, executions and warrants of good behaviour : We, therefore, at a General Court assembled, adjudge the said John Bonython outlawed and incapable of any of his Majesty's laws, and proclaim him a rebel." It was then ordered "that if Mr. John Bonython be taken, that he be forthwith sent to Boston, to answer such things as shall then be brought against him." His contempt of the authority of the province was referred to the arbitration of that government. His father was a member of the provincial court.

Under the government of Mass., John was still more violent ; by whom, we have seen, he was again outlawed, and a price set upon his head. This rigorous proceeding brought him to terms. The town book, in which his

name is rarely found, contains the following record : "July 11, 1665. At a townmeeting, the justice of the peace and the freeholders being met together, a warrant is sent to Mr. John Bonython to come and take his oath to be constable, as he was chosen : but he refused, and is fined 4l." R. Booth was then chosen in his place. This was soon after the arrival of the King's commissioners in the province. It appears, therefore, that he attempted to act independently of all authority ; hence doubtless he gained the burlesque title of 'Sagamore of Saco,' which has come down to us in the couplet, said to have been inscribed on his grave stone :

"Here lies Bonython, the Sagamore of Saco ;  
He lived a rogue and died a knave and went to Hobomocko."

His death occurred about 1684 ; an order of the court in that year continues his wife in the possession of her late husband's property. He was supposed at a subsequent period to have been destroyed by the Indians, as appears from the following record in the Book of Claims to eastern lands, opened by order of government at Boston 1718 : "Peter Weare, of Hampton claims a tract of land containing 120 acres on the eastern side of Saco river, part of that granted to Richard Bonython in 1629, and by him granted to his son John, who was killed by the Indian enemy—said Weare bought of his son and heir by deed." In the registry of deeds we find, that "Richard Bonython, formerly apprentice to Jas. Weymouth of Newcastle, N. H. cordwainer, son and heir to John Bonython of Saco, sold in 1713 to Lieut. Peter Weare of Hampton, a tract of six score acres on the north east side of Saco river in the patent granted to his honored grandfather, Mr. R. Bonython and T. Lewis."

This Richard, however, was not a son, but a grandson of John Bonython, senior. At the time of the death of the latter, there was peace with the Indians ; and as he was then far advanced in years, it is more probable that he

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\*Hobomocko—the evil spirit of the Indians. Sullivan, p. 368, supposes that the lines were intended for Capt. Richard Bonython by his political enemies ; but the moderate character of the patentee is inconsistent with this supposition. Their application to his son is much more probable.

died in the course of nature. In May, 1683, when near the close of his life, John gave to the town '20 acres of upland for the minister,' as if to atone for his past errors. He was buried at his own request near the river on the line separating one division of his estate from that of Gibbins. A man who lives near the spot, informs us that having had frequent occasion to pass it when a boy, the path from a landing place on the river leading in that direction, he was often told that the 'governor of Saco' lay buried there. The children of John Bonython were John, Thomas, Gabriel, William, Winifred, and Eleanor. John, the oldest, was born 1654; chosen one of the selectmen 1685; and four years after, removed to Newcastle, N. H. where he was living 1694. It is probable he afterwards fell by the hands of the Indians. Richard, the cordwainer, who sold to Weare, was unquestionably his son. This Richard had a sister, the wife of John Collins. The other sons of the 'Sagamore' left no heirs, except collateral ones. Winifred, the oldest daughter, married Robert Nicholson, or Nichols: Eleanor married a Churchwell. A son of the former, living at Marblehead, sold his mother's right in her father's estate to Robert and Thomas Edgecomb, 1729. The name of Bonython has long been obsolete in this quarter, and probably in New England.

The daughters of Capt. Bonython became the wives of Richard Foxwell and Richard Cumming. Mr. Foxwell was one of the first and most respectable planters in this vicinity. He settled at Blue-point, on the southwestern side of Scarboro' river in 1636, when thirty two years of age.\* George Foxwell, his nephew, who died in Virginia, was from the city of Exeter, in Devonshire, England, and it is quite probable that Richard was from the same place, or its neighborhood. He lived forty years on his estate at Blue-point, without apparently mingling in the political disputes of that period. He was

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\*There was a person of the same name at Scituate 1634, a merchant; (Farmer's Register;) but as our planter married in England, it is probable that he came out with his father in law with the view of settling on his patent, and hence it is unlikely he should have gone to Scituate.



a member of the General Assembly of Lygonia in 1648, being of the committee to whom was referred Mr. Jordan's petition. But his chief attention was given to his plantation, which became a valuable legacy to his heirs. He died about the close of 1676, or early in the succeeding year. Administration on his estate was granted to his son Philip Foxwell 1677; Joseph Curtis and Richard Rogers afterwards administered.

The children of Mr. Foxwell, were three sons and five daughters. Richard jr., probably the oldest son, was living 1664; we have no further account of him. John married a daughter of Richard Cumming; he died young, leaving one son, Nathaniel, who removed to York. Deborah, daughter of Nathaniel, married William Corbain of Boston, and as the sole heiress of her father and grandfather, conveyed all her right in the estate of Richard Foxwell, to William Pepperell jr., afterwards Sir William, in 1729.

Philip Foxwell, the other son, was one of the selectmen of Scarboro' in 1681. In the subsequent dispersion of the inhabitants of that town by the Indians, Philip removed to Kittery, where he died, apparently without heirs, in 1690.

Of the daughters, Esther married Thomas Rogers of Goose-fair, in 1657. Mr. Rogers was here as early as 1638, when we find him attesting a deed. He was probably quite young at that time, as his name does not occur again until 1653. He lived on the seashore, near the mouth of Goose-fair brook, in the western part of what is now called Old Orchard. A northwest line dividing the patent of Lewis and Bonython into two equal portions, was run 1681; which the commissioners began at "Rogers' garden." The house of Mr. Rogers was destroyed by the Indians 1676, when he removed to Kittery, and soon after died. An inventory of his estate was taken the following year. He had two sons, Richard and John. The former, purchased from Gibbins 1687 a tract of about half a mile square situated between Goose-fair brook and the middle line of the patent. He afterwards removed to Kittery. His son Richard jr. gave this piece of land to Patrick Googins 1737. Patrick came

over from Ireland at an early age, and was in the service of Pepperell at Kittery, by whose influence, it is said, he obtained a daughter of R. Rogers, (grandson of Thomas,) in marriage. He settled on the estate given him by his father in law, where he died 1783, aged 84 years. Patrick left six sons, one of whom is now living at an advanced age. Mr. Rogers Googins, a grandson of Patrick, and some others of this family, now possess and improve a part of the old estate.

Lucretia Foxwell married James Robinson of Bluepoint. On the breaking out of the Indian war, they removed to New Castle, N. H. and there ended their days. They left four children, daughters, three of whom were married.

Susannah Foxwell married an Austin. Mary, another daughter, married George Norton, of York. Sarah Foxwell married Joseph Curtis of Kittery, 1678. Their daughter Eunice was born Dec. 23, 1698. She married Richard Cutts of Kittery, Octo. 20, 1720. Their children were seven sons and three daughters, viz. Sarah, Robert, Joseph, Samuel, Edward, Foxwell Curtis, Richard, Mary, Thomas, and Eunice. Thomas, late Col. Cutts of Saco, the ninth of these children, was born April 5, 1736. Edward, the fifth, late Judge of the C. C. Pleas, was born 1728. The mother, a grand daughter of Richard Foxwell, died March 30, 1795, at the great age of ninety six years.\*

The second daughter of Capt. Richard Bonython was married to Richard Cumming before 1647. Mr.

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\*Kittery Records. Jocelyn, in the account of his first Voyage 1638, relates the following story as "told by Mr. Foxwell now living in the Province of Maine. Having been to the eastward in a shallop, on his return he was overtaken by the night, and fearing to land on the barbarous shore, put off a little further to sea. About midnight they were awakened by a loud voice from the shore calling *Foxwell, Foxwell! come ashore!* three times; upon the sands they saw a great fire, and men and women hand in hand dancing round about it in a ring. After an hour or two they vanished, and as soon as the day appeared, Foxwell put into a small cove, and traced along the shore where he found the footing of men, women and children shod with shoes, and an infinite number of brands' ends thrown up by the water; but neither English nor Indians could he meet with on the shore nor in the woods. 'There are many stranger things in the world than are to be seen between London and Stanes.'" p. 24.

Cumming first settled on the western side of the river, but after the death of his father in law, he removed to the eastern part of his patent, near Little river. In 1672, a committee was appointed by the town "to meet the Black-point men at the river next Richard Cumming's, to run the line between them and us." Mr. Cummings Banks, one of his descendants, now lives at the same place. The name of Richard Cumming, or Cummin, occurs very often in the town records until 1674; he died soon after. An inventory of his estate was taken 1676. The administrators were Thomas Cumming and John Harmon. The former did not long survive his father.

Elizabeth the only daughter of R. Cumming married John Foxwell, her cousin; after his death John Harmon, previously to 1680. By this marriage Mr. Harmon became sole heir to that division of the patent which fell to the wife of Cummings. The daughter of Mr. Harmon, an only child, married Joseph Banks of York, to which place Harmon removed before 1690. Banks thus acquired Harmon's right, but, in 1714, conveyed one-half of it to Peter Weare and others. He also sold one quarter to Caleb Preble of York, who afterwards transferred it to Jas. and Joseph Brown of Newbury, 1717. Samuel Banks, a son of Joseph, settled at Old Orchard on a part of the Cummings estate, about 1735, where his descendants now live.

A brief notice of the other early planters will conclude this chapter. The first name in the book of Rates after the patentees, is that of Henry Boade. This gentleman settled at Winter Harbor before 1636, but six years after he removed to Wells, where he was associated with Rev. J. Wheelwright and E. Rishworth, in a commission from Sir F. Gorges to lay out and allot that township, extending from Ogunquit river to Kennebunk river, now forming the towns of Wells and Kennebunk. The small estate left by Mr. Boade at Winter Harbor, was transferred by Mr. Vines to Thomas Mills, fisherman, and James Gibbins planter, in 1642. In 1653, he was appointed first commissioner or justice of Wells. His death took place four years after. The executors of his will were "his loving cousins, Mr. John Winthrop, Esq. and Rev. Timothy Dalton, minister of Hampton."

John Wadlow, or Wadleigh, also removed to Wells before 1650. An Indian Sagamore, named Thomas Chabinocke, devised to Wadleigh 'all his title and interest of Nampscascoke', comprising the greater part of Wells; with a condition that he should allow one bushel of Indian corn annually to the 'old Webb,' his mother, as long as she lived. The extent of the tract was from the sea as far up as 'the great falls on Cape Porpoise (Mousum) river', and from Negunket to Kennebunk river. The Sagamore seems to have died 1649, in which year Wadleigh took legal possession of his lands. Ten years after, John Wadleigh and his son Robert conveyed the portion between Cape Porpoise and Kennebunk rivers, with several reservations, to Daniel Eppes of Ipswich. Mr. Eppes was a son in law of Samuel Symonds, deputy-governor of Mass. Bay.\* William Symonds, a son of the deputy-governor, settled at Wells, probably on the lands purchased by Mr. Eppes. Under the jurisdiction of Mass., Indian titles were held valid where previous grants had not been made. A small part only of the township of Wells had been taken up previously to the date of Chabinocke's will. John Wadleigh was one of the selectmen of Wells 1653. He died 1671. His will contains the bequest of 'a pair of oxen called Sparke and Berry,' to his daughter Mary Mills. The practice of giving names to working cattle, said to be peculiar to the eastern farmers, was, it seems, of early introduction. The same custom doubtless prevails in that part of England from which our planters came.

Thomas Williams, who is usually dignified with the title of *Mr.* in the town book, was a leading townsman for many years. The following record is dated 29 June, 1674: "This day Mr. Williams did make his address to the town for 14 pounds due to him for dieting the minister of the towne: and it is ordered and consented to by the whole town that for the time during his or his wife's life, he is freed from all town, Commonwealth or Ecclesiastical rates." The same year, at an October meeting, the record says: "The town hath cleared Mr. Thomas

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\*Farmer's Genealogical Register.

Williams from all his rate that is behind hand and so forward." Also, "the town hath ordered that there shall be two men appointed to look into Mr. Williams' estate to see if he shall have maintenances." We have not met with his name after this date: he had then been an inhabitant at least forty years. Having served the town long and faithfully in several responsible offices, he was at last, when past service, necessitated to apply for assistance, as it appears from the foregoing record. He seems to have had no family. Beside his brother Richard, who died 1635, as mentioned in a former chapter, no other person of this name is found among our inhabitants in that century.

Robert Sanky, provost-marshal 1640, died at Winter Harbor before 1642. His land adjoined that of Mr. Williams, as, in an action of trespass brought by the latter against Ferdinand Grant, who being employed to cut his hay, had set fire to it, Mr. Sankey joined for the injury done his own hay and grass. Mr. Joseph Bowles afterwards owned Sankey's estate, which he sold in 1659, being then resident at Wells, to John Bowden. The fees of the provost-marshal, or sheriff, were 2s. for serving a warrant in Saco, and 4s. for every day employed out of the town. The under-marshal, or deputy, received a salary of 4*l.* per annum.

Theophilus Davis, styled 'officer for this place' in the records of 1636, was doubtless constable of Saco that year. This is all we know of him. We are almost equally in the dark respecting the next planter on the list, George Frost. He appears on a jury 1640, and perhaps died soon after. Clement Greenway has also eluded our enquiries after 1637.

John Parker probably removed to Kennebec beyond the jurisdiction of Gorges, where a person of this name is found purchasing from the Indians the large and valuable island, now a part of Georgetown, in 1650. His descendants have ever retained possession of parts of that island under the Indian title.\* There was also a John

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\*1 Mass. Hist. Coll. i. 252.

Parker at York 1652, but he was probably a late comer as his name is not found in the early court records.

John Smith has been noticed in a former part of our inquiries. His lease of 100 acres from Mr. Vines, on an annual rent of 5s. bears date 1642. Eight years after, he assigned this lease to N. Buly, who was to enter on the property 1652, and to allow Smith one room in the house for two years after entrance. The Mass. commissioners 1654, passed the following order. "The commissioners being informed that John Smith of Saco is necessarily detained from coming to yield subjection to the government, and that it is his desire to subject himself to the government, they do grant that on his acknowledgement of subjection to this government any two of the town commissioners at Saco may, and hereby have liberty to give him the oath of freeman." Sullivan remarks on the above: "John Smith was one of the grantees of the Plough Patent, and did not personally submit; but the Commissioners readily received his excuse of ill health, and took his submission by proxy." The inconvenience of going to Wells for the purpose of acknowledging the Mass. jurisdiction, prevented a number of the inhabitants beside Smith, from personally appearing there, as we have already seen. This circumstance is, therefore, no argument in favor of his being a grantee of the Plough Patent. Had Smith really been one of the Plough Company, it is hardly probable he would have taken a small lease at Winter Harbor, when entitled to at least a township in right of that patent. He, however, held the office of marshal under the jurisdiction of Lygonia, as it appears from his deposition given at the late date 23 June, 1685: "Testimony of John Smith of Saco, aged about 73 years, marshal under Mr. G. Cleaves,\* who about forty years ago carried on Col. Rigby's authority in this Province," &c. This is the last notice of Mr. Smith that we have found in the records of that period. He had then outlived all the first planters, with the exception, perhaps, of Mr. Watts.

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\*This name is usually spelt Cleves, or Cleeve, in the oldest records: but we have adopted the modern orthography.

Samuel Andrews died before 1638. Mr. Vines confirmed to his widow Jane 100 acres near Scadlock's land, where her husband built a house and enclosed four acres. She afterwards married Mr. Arthur Mackworth of Casco, a gentleman of some note. Sarah, her daughter, married Abraham Adams of Casco. Mr. Francis Neale, representative of Falmouth 1670, married another daughter. Edward Andrews, freeman 1653, was perhaps a son of Samuel; he died 1668.

William Scadlock, a worthy planter, settled on the western side of Little river, and when the line was run between Saco and Cape Porpus 1659, his house was left in the latter town, the river being made the dividing line. Mr. Scadlock was appointed clerk of the writs or town clerk by the Commissioners 1653, but the existing records of that year are signed by the selectmen. There were others doubtless, now lost. Scadlock made his will Jan. 7, 1662, and probably died soon after. His personal property amounting to £100, and his real estate, which was of considerable value, he gave to his wife; to his children he made small bequests, as set forth in the following extracts: "I bequeath my bible unto my son William. I bequeath unto my son John 3 yards of broadcloth, he upon that consideration to buy 3 yds. and a half of good kersey of 10s. per yard for a suit for my son Samuel, and silk and buttons unto both: I bequeath unto my daughter Rebecca my worsted stockings. I bequeath unto my son William my new hat, he buying Samuel another of 10 or 12s. price. I bequeath unto my daughter Susanna Mr. Cotton's work upon the new covenant of grace. I bequeath a book entitled Meat out of the Eater, to my son William; and to my son John I bequeath a book concerning Justifying Faith; and the Practice of piety to Rebecca: and to my daughter Susanna a Sucking Calf called Trubb.\* I bequeath unto my daughter Sara one yard of Holland: and to the end that all things be performed according to my mind and will, I hereby make, constitute and appoint my loving wife Ell-

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\*The quaint title of some puritanical work.

nor my executrix, and my son William executor, unto all which I set my hand and heart." Of the sons, William died 1664, and Major Pendleton administered on his estate; John died the same year. Samuel was living 1719 at York, seventy three years old. William jr. appears to have left children; a son William, born 1661; and a daughter Anne, married to John Carter 1666. The family name is now extinct in this quarter, so far as we can learn; but the falls on Little river near the house of Mr. Jeremiah Bettes, are still called Scadlock's falls by the inhabitants in that vicinity.

A Robert Morgan was an inhabitant at Sagadehock 1665;\* but we are unable to identify him with certainty as the planter of 1636.

Henry Warwick, or Waddock; the former orthography is found only in the Court Records, and in legal instruments. He was long an active and useful inhabitant of the town; his house was at the lower ferry, on the main road at that period from Wells to Casco, where he died about 1673. His children were a son and two daughters; the former, John, is mentioned among the principal townsmen 1674; he removed a few years after to Black-point. Joan, one of the daughters, married John Helson 1658; their son, Ephraim, was born 1667. The other daughter married John Tenny of Black-point; they, together with goodwife Jane, the widow of the old planter, were living at Gloucester Mass. 1690.

Richard Hitchcock lived at Winter Harbor, near the point on the north side of the Pool, still called by his name. He was buried 22 June, 1671. His son Thomas, a youth, died the same year. His other children, born 1653-64, were Jerusha, Lydia, Rebecca, Ann and Margaret, who with his wife survived him.

Thomas Page was a juror 1640, after which we have not met with his name. Sylvester Page was in the family of Mr. Williams 1652. George Page married Mary Edgecomb, probably a daughter of Nicholas, 1664; he was one of the selectmen 1683, and after. Christopher Page is mentioned 1667. These were probably sons of



Thomas Page, who we suppose died before his children were of age. The name is still among us.

Ambrose Berry was a respectable inhabitant for many years. The situation of his house, on the northern limit of the lands left at the town's disposal by the Commissioners 1659, is not precisely known at the present time. He was buried at Winter Harbor May 3, 1661. His son Ambrose married Ann Buly 1653. The families of this name now in our towns, are unquestionably descended from him.

Mr. Henry Watts settled at Blue-point near Mr. Foxwell, 1636, where he was living 1684 over eighty years of age. He was a member of the Assembly of Lygonia 1648. His children appear to have settled at Falmouth, where we find John Watts 1721.\*

Beside the planters named in the Book of Rates, a few other names occur as early as 1636. Of these several have been mentioned as soon after settled at Casco. George Jewell, mariner, was drowned in Boston harbor 1638.† Stephen Batson was living at Cape Porpoise 1653. Margery, daughter of Stephen and Mary Batson, was bound to Capt. Bonython 1636. John Batson married Elizabeth Saunders 1660. James Cole was an inhabitant at Kennebec 1654.‡ John Cole of Saco, died 1661; perhaps a son of Thomas, who had occupied the estate leased to West.

John West first appears 1638; he removed to Wells about 1659, where he died four years after. He appointed William Cole of Wells trustee of his estate for the use of his daughter's children, the wife of Thomas Haley; the property to be divided among them three years after his (West's) death. The names of the children were Ann, Lydia, Samuel and Thomas. Mr. Haley lived on the western side of the river opposite Waddock. His descendants are numerous.

Morgan Howell has been named among the colonists who came out with Mr. Vines. He was engaged in a

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\*Judge Samuel Watts of Chelsea, Mass. mentioned by Mr. Farmer, Geneal. Register, in connection with the name of our planter, came to New England early in the last century. Family tradition,

†Winthrop. Jour. i. 244. ‡Hazard. i. 585.

suit with Scadlock in the court of 1637. A few years after (1643) he is described as of Cape Porpoise, in a deed of 100 acres of land from Gorges.\* He was probably settled there in the former year, in the neighborhood of Scadlock. When the inhabitants of Cape Porpoise, now Kennebunk-port, submitted to Mass. 1653, the Commissioners reported that "Morgan Howell did acknowledge himself bound in fifty pounds to the treasurer of the county, that he will prosecute his action against John Baker at the next county court." The settlement on Cape Porpoise was probably made about the same time as at Winter Harbor; in 1632, a trader named Jenkins, is said by Winthrop to have removed thither from Dorchester, Mass. The Cape presented great advantages for fishermen, many of whom made it a place of resort, and perhaps of abode as early, probably, as any other point of the coast. Howell and Scadlock were without doubt the first planters who settled within the township.

We have thus noticed all the original colonists whose names have occurred in the course of our inquiries. There were without doubt many others, but owing to the imperfect state of the early records, their names cannot now be recalled. The length of years to which most of them attained, at the place of their first settlement, must have struck our readers, and is indeed remarkable when contrasted with the opposite fact in the history of the other New England colonies. A distinguished antiquarian has remarked that "in no instance, in the whole Atlantic coast of this Union, will five men, on any spot at the first opening of the country, be found on the same spot ten years after."† The writer was unacquainted with the settlements in this quarter.

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\*Sullivan 229, dates the earliest grant at Cape Porpoise 1648.

†Savage. Winthrop. Jour. i. Appendix.

## CHAPTER X.

After the departure of Mr. Jenner there appears to have been no regular minister of the puritan faith in this vicinity for several years. The ministrations of Mr. Jordan were probably continued until the province came under the authority of Massachusetts, and for some time after, as in 1660 an order was passed by the Gen. Court forbidding him to baptize children, and requiring his appearance before them to answer for having performed that christian rite. The King's Commissioners in their report to the English government respecting N. England, 1667, refer to the unworthy treatment of him by the Mass. authorities: "They did imprison and barbarously use Mr. Jordan for baptizing children, as himself complained in his petition to the Commissioners."\* In the mean time, George Barlow seems to have annoyed some of his townsmen by the exercise of his gifts as a preacher. This man was a follower of Rev. John Wheelwright, a distinguished clergyman who was banished from Mass. on account of a difference of opinion with the leading members of the Colony on a point of doctrine. Mr. Wheelwright was an antinomian, and taught that an inward assurance, or 'the evidence of the Spirit,' furnished the only proper criterion of the christian character. His opponents contended that the sanctification of the heart and life, was the true ground of religious confidence; whence Mr. Wheelwright pronounced them all under 'a covenant of works.' This was too much for the worthy colonists, who valued themselves on their orthodoxy, and Wheelwright was banished for sedition.† He retired with a number of followers to an uncultivated tract within Mason's patent, where he laid the foundation of the town of Exeter. There they established a Combination government 1639.‡ Three years after, when the New Hampshire settlements were taken under the wing of

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\*Hutchinson. State Papers. 418. †1 Mass. Hist. Coll. ix. 31.

‡The members of this Combination were in all thirty five. Hazard. Coll. i. 463.

Mass., Mr. Wheelwright removed into this quarter, and with some of our planters, as already noticed, commenced the settlement of Wells; of those who were with him at Exeter, we afterwards find George Barlow here, Willia mCole, Edmund Littlefield, William Wardwell, at Wells, Edward Rishworth at York, and Christopher Lawson at Kennebec. Barlow probably had the zeal without the knowledge of his master, and was silenced by the Mass. Commissioners at the request of some of the inhabitants. His adherence to Wheelwright, however, may have been the real cause of their prohibition. The order containing it, relates to the state of the religious affairs of the town in general: "The Commissioners being informed that Saco is destitute of a good minister, where it is much desired that all due care be taken to attain the same, and in the meantime that their peace may be preserved, they do declare and order that Robert Booth shall have liberty to exercise his gifts for the edification of the people there. Several persons complaining that George Barlow is a disturbance to the place, the Commissioners at their request thought it meet to forbid the said Barlow any more publickly to preach or prophesy there under the penalty of ten pounds for every offence."—The term prophesying was usually applied to the religious exhortations of laymen, or persons not regularly inducted into the office of a minister.\* The name of Mr. Barlow does not appear in the records after 1653, but we find the marriage of Henry Hatherly to Elizabeth Barlow, probably his daughter, about 1670.

Mr. Booth officiated several years as the religious teacher of the town. In Feb. 1658-9, it was voted, "that Robert Booth shall teach the word on the Lord's day till we have a better in place. And he shall have for his labor as the major part are disposed to give." At the town commissioner's court, about the same time, it was "ordered that this town of Saco shall forthwith make a rate to the value of ten pounds and levie it as and bring it in to R. Booth to what place in the (town) he shall appoint before March next in full satisfaction for

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\*Hist. Coll. ut supra. 19.

all his labor in teaching from the beginning unto this day." This worthy townsman seems to have filled a variety of useful offices, for which he was qualified by an education superior to that of most of the inhabitants. He appears to have resided both at Exeter and Wells before he came to this town; as his name is subscribed to a petition of the former town, addressed to the Mass. Gen. Court 1645, praying the court not to grant any lands or meadows lying near Exeter unto the town of Dover;\* and that he lived at Wells, we learn from a deposition in which he expressly states the fact. Yet three years after the date of the Exeter petition, Mr. Booth was on a committee of the Gen. Assembly of Lygonia; and as Wells was not included within that jurisdiction, he was then unquestionably an inhabitant of Saco. He died 1672, aged seventy years. His children, born 1627-55, were Mary, Ellen, Simeon, Martha, and Robert. Mary was married to Walter Pennell 1647; Ellen to N. Buly jr. 1652; Simeon married Rebecca Frost, 1663. Mr. Booth lived, according to tradition, at the last bend of the road leading to Fletcher's neck, near the sea. A strip of land called Stony Stand point, belonged to him. He had a corn tide mill on the creek that runs into the head of the Pool; the 'stepping stones,' laid between the shore and the mill, have been seen by a person now living. The mill was appraised, after the death of Mr. Booth, at £30. The name of his family is now extinct in this quarter.

A complaint was entered in the court of 1659, against R. Booth "for disturbing the minister, Mr. Dunnum"; which probably arose from some unfriendly feeling to the former, as he was acquitted, and the complainants were obliged to pay the costs of the action. We find no notice of this minister in the town-book.†

In 1661, a committee was raised "to speak to Mr. Hooke about teaching to them on the Lord's day, and to conclude with him after what manner and upon what terms he will accept." This gentleman had then recent-

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\*Farmer, MS. Letter. †There was a preacher of the same name (Dunham) at Edgarton, Martha's Vineyard, 1685. J. Coffin.

ly become an inhabitant of the town; the next year, Phillips sold him the land which had been occupied by John Leighton at Winter Harbor. Mr. Hooke has been mentioned in a previous chapter, as a friend to the government of Gorges. At a subsequent period, 1681, he was treasurer of the Province, and under the charter of 1692 a member of the Council of Mass. He was then living at Kittery, where he died in Jan. 1695.

The Rev. Seth Fletcher commenced preaching here 1661-2. The earliest notice of him furnished by the town records, is the following: "June, 1662. It is consented to make a rate for Mr. Fletcher's diet 10 3 0." The next month, at a townmeeting, the town contracted with John Rice for the rent of a house at Winter Harbor, "which he bought of William Tharall," for their use one year, for the accommodation of the minister, and agreed to pay him 5*l.* in merchantable fish. Mr. Fletcher was previously settled at Wells, as early as 1655, but, in 1660, some of the inhabitants petitioned the Gen. Court for his dismissal, stating that "for near two years past he had drawn them into neglect relating both to the sanctifying of the Sabbath, and the performance of God's holy worship therein." It was ordered "by the authority of this court that due notice be given to the inhabitants of Wells and Mr. Fletcher, that they appear at the next county court at York, there either to justify those exceptions of unmeetness they seem to charge against Mr. Fletcher," &c.\* His dismissal followed, and he removed to this place the following year. At the expiration of the year for which he was engaged, Phillips and Hooke were appointed a committee to procure a minister. It does not appear, either that Mr. Fletcher was re-engaged, or another minister obtained at that time.

We find nothing more relating to this subject until 5 March, 1675, when it is recorded that the inhabitants agreed to send for a minister, namely, Mr. Paine, and to pay all such charges as he shall necessarily have occasion

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\*Mass. Records. Mr. Greenleaf, Eccl. Sketches of Maine, has overlooked Mr. Fletcher, although himself for several years minister of the same town.

to spend coming and going, and whilst he is with us." The Rev. Robert Paine, who graduated at Harvard College 1656, was the gentleman alluded to. He preached at Wells about this time,\* but appears not to have accepted the invitation of our townsmen. In May following, there were two candidates before the town, viz. Mr. Fletcher, and 'Mr. Chansee,' [Chauncy.] The votes were 24 for the latter, and 11 for the former. Mr. Chauncy remained one year. In April, 1666, there was a meeting about his 'going away and his wages,' when the following vote passed. "It is the consent of the major part of this meeting that Master Chauncy may be safely sent home as speedily as conveniently may be. Mr. F. Hooke and R. Booth are appointed by this meeting to take care for his passage at the town charge." The rates levied for his wages were not collected, and two years after, April, 1668, we find that "Mr. Williams hath delivered 34s. in        to Mr. Barnabas Chansee upon condition that if the townsmen do not approve of it, he promises to allow it back again." The Rev. Dr. Chauncy, president of Harvard College from 1654 to 1672, had six sons, all of whom were educated at Cambridge, and became ministers. One was settled in London, a colleague of the celebrated Dr. Watts. Barnabas, who graduated 1657, is said to have "died in middle age, an immature death."† There can be no doubt that the measures taken by our townsmen for his speedy and safe conveyance home, were owing to the failure of his health; and that after his recovery, he came to receive the arrears of his salary. His father died 1672, and such was the high estimation of his services, that the General Court made provision for his surviving family, or those of them who required it. Barnabas received 10*l.* per annum from this source.‡

Mr. Fletcher resumed the ministerial charge soon after the departure of Mr. Chauncy. In 1669, we find the following record: "The Inhabitants being mett at the Meeting house, doe acte as followeth: 1. The covenant

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\*Greenleaf. Eccl. Sketches. 20. †1 Hist. Coll. x. 178.

‡Mass. Records.

made between Mr. Fletcher and the town is null. 2. The inhabitants unanimously vote to continue Mr. Fletcher's ministree still amongst us. 3. It is unanimously voted that Mr. Seth Fletcher shall have fiftie pounds payed him for this next year recompense for his ministree. 4. The selectmen to make a rate to pay the fiftie aforesaid for Mr. Fletcher's stipend this year 1669." Again in 1672, we find an equally strong expression of attachment to this gentleman on the part of his people. "We the inhabitants of this town generally desire that Mr. Fletcher would be pleased to continue with us to be our minister as long as he may with comfort and convenience, and we are freely willing to continue our contribution as formerly we have done, and if there be any impediment in the way we shall endeavor to remove it if we are made acquainted with it; and so we hope he will give us his answer, and for this purpose we have appointed R. Booth and T. Rogers to go to him and acquaint him with our desires, and bring his answer." This was at the March meeting. The nature of Mr. Fletcher's reply may be supposed from the votes passed at a meeting in June: "That Mr. Fletcher is left unto his liberty to continue among us without any annual calls, giving the town three months' notice to provide for themselves upon his removal if possible. 2. That 50*l.* be annually paid him as in times past." Thus was he settled over the people as their regular pastor; the practice had previously been to renew the engagement annually, if agreeable to the town. He did not remain long, however, after that time. His wife, Mary, appears to have been a daughter of Maj. Pendleton, by whom their only son, Pendleton Fletcher, was adopted. The Indian war commenced in 1675, when Mr. Fletcher, together with his father in law, removed. He afterwards preached at South Hampton, Long Island, N. Y. and at Elizabeth Town, N. J. The following letters to the Rev. Increase Mather, D. D. President of Harvard College, furnish the only information respecting Mr. Fletcher after his departure from this place, which we have been enabled to obtain.



“South Hampton, October 22, 1677.

MR. INCREASE MATHER—REV. SIR: Hopeing the health and wellfare of yourselfe and all yours in these sickly times, and times of sickness. By these lines you may understand that the Messenger who carried my letter to the Governor (which I mentioned in my letter to you dated S—— last past, informed mee upon his returne home that the Gov. received my letter, presently broke it and perused it, ordering him to call an hour after for another to mee (for he would write back he said) the which he did, but when he went the Gov., Capt. Brockas, and Capt. Nichols were so busie with 3 Indian Sachems, brought from the Eastward, in drawing up Articles of peace and he had not leisure to write by him, but that there were some others that were shortly to call upon him for a letter to one of East Hampton and he would write by them, but to this day I have had no answer of my letter, and now I hear he is going to England (if he be not gone) so that my intended journey to him to New York is frustrated. I have been to the Main to visit friends there. My brother Stow presents his service to you. In my absence from the Iland there hath been (it seems) a letter drawn up to yourselfe, Mr. Thacher,\* and Mr. Allen,† concerning your approbations of mee. Its made known secretly to mee, and the most of the actors know not that I am privie to it, neither hath it been with my consent. Indeed one of my well willers once said to me (since this great dust hath been raised) that he thought it the best way to send into the Bay to some of the elders to know their opinion of mee. I answered that I thought they had sufficient testimony (I meant by that ) and withall I said I should not be against it so they would send those that were the longest acquainted with mee. It might, I said, bee a meanes to cleare my name some what. I [referred to] J. Brock of Reading who was the first instigater to my taking the work upon me concerning I have more cause than others to say, “Pros tauta tis ikanos.”‡

\*Rev. Thomas Thacher, first minister of the Old South church in Boston. †Rev. James Allen, minister of the First church in Boston.

‡“Who is sufficient for these things.”

And thereupon the Reverend John Wheelwright, and Mr. Dalton the Pastor and Teacher of our church at Hampton encouraged to it. The others I named were Mr. John Hale of Bass river,\* and Mr. Samuel Cheever of Marblehead, who had both of them been formerly ministers of our Eastern parts and of my acquaintances. I lastly named Mr. John Higginson of Salem, as being less known to him, yet God haveing in his providence so ordered it as that I have not only preached in his room and stead, but 3 or 4 times he being present, and withall he being the greatest encourager that I had to come into these parts I thought good to mention him. But while I was in town it would not be advisable to send at all. But no sooner am I gone off the Iland, in all haste a letter must be drawn up and sent to you and others that have had very little experience of me. Sir I have made bold to acquaint you with these dealings that you may the better judge thereof (if such letter or letters come to your hand) and indeed being a stranger and cooped up and confined to an Iland where I have more cause than ever to say "Amici boni rari sunt and that Amicus verus thesaurus est magnus." [Good friends are rare—A true friend is a great treasure.] But not to trouble you farther, with my humble service to yourself, and those Reverend Gentlemen, who are concerned in the Letter above, I committ you all and your Negotiations, Temptations and Burthens unto him that is both able and ready to accept our persons, and take notice of all our Moanes that we are moved by his holy spirit to sigh and groan out before him. Remaineing Sir your humble and willing servant in what I may.

SETH FLETCHER."

## SECOND LETTER.

"Elizabeth Towne, March 25, 1681.

MR. INCREASE MATHER—REV. SIR: You may please to call to mind that since I saw you in March (or Aprill) the year past, I wrott a Letter to you bearing date May 28, 1680, and another before that, May 10, 1680. That upon May 10 (especially) being about Mr. Gershom Ho-

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\*Beverly, Mass., of which place Mr Hale was the first minister.

bart's 16s. 6d. which he is indebted to mee,\* and Mr. Trapp's Exposition from Romans to the end of the Bible (in Quarto.) I never heard from you since what hath been done with it, I am now more remote and so the more to secke of Cash. New-York not being such a place for the production of mony as Boston is. Be pleased therefore to acquaint Mr. Bateman at the draw bridge foote what you have done, or like to doe, or are inclined to do about it. I have been much molested with Quakers here since I came. New ones comeing in one after another. Upon Feb. last past upon the motion of two of the sect, one of which two is a schoolenr to some children in the towne (by nation a Scott, by name John Usquehart,) by former profession (as fame makes known to mee) a Popish Priest. A schollar he doth professe himself to be, and I find that he hath the Latine tongue. The buisnesse of that day was for mee to maintain an Assertion viz. That a Quaker living and dyeing as a Quaker (without repentance) must find out a new gospell, which might aford them hope of salvation, for what God hath revealed in his holy word there was no salvation for them in their impenitent condition. I opened the terms Explicated by way of distinction of sedusers and seduced, and so their sinnes, and likewise what God expected from the one and the other sort, which being done (although there were four or five more Quakers in the throng, yet none appearing in the Cause but the scholler aforesaid and a Chirurgeon) I demanded of them what they had to say against my Explanation. Instead of speaking pertinently the scholler (whom I understand had been at the University four or five years) begins to tell the people a story of Moses, Ezra, Habaccuk their being Quakers. Whereupon having the people an account of the business of the day I proceeded to six severall Arguments by which to make good my Assertion viz. That a Quaker liveing and dyeing as a Quaker (without repentance) according to what God hath revealed in his word, he could not be saved. I in every argument demanded what part of the Argument they would deny but instead of answer there was railing and threa-

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\*Rev. Gershom Hobart was ordained at Groton, Mass. 1679.

tening mee that my destruction was nigh at hand. To prove the Minor I continually produced their owne authors and several things out of their Rabbie's books, which so exceedingly gauled them that then they set themselves to Humming, singing, reeling their heads and bodies (Antique like) whereby both to disturb mee and to take of the people from attending to what I had to say for the maintaining the Assertion. Since that (I heare) I must ere long be proved to be no minister of Christ, and they have attempted to raise as great a party at Road-Island and Delleway Bay against mee as they can. Nay more they say England and their friends there shall heare of it and in speciall Will. Penn, whom I mentioned once and but once and then but in my 4th argument, Namely his denyall of Christ being a distinct person without us from his book entitled Counterfeet Christian p. 77. As for news about Commonwealth affairs I saw a Proclamation of the old Governor forbideing upon Perill the graunting any obedience to those in present power, promiseing open Courts shortly. The proclamation was put up here at our meeting house upon Sabbath morn March 6, 1680-1, but before morning exercise taken down, and the day after sent to York. What the issue will be God (in time) will discover. Sir no further to inlarge I take leave committing you to the keeper of Israel, remaineing yours to serve you in Love.

SETH FLETCHER.

I saw Mr. Abraham Person\* in health upon Thursday morning March 9 at his own house and the next day Mr. Allen (in health also) at my house."†

It appears from some expressions contained in the foregoing letters that Mr. Fletcher had been connected with the church at Hampton, N. H. He was perhaps pre-

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\*Rev. Abraham Pierson went to South Hampton with a company of emigrants from Lynn, Mass. 1640. Lewis He afterwards removed to Newark, N. J. where he is said to have died about 1681. His son, also named Abraham, was settled as his colleague at Newark 1672, and was subsequently the first rector or president of Yale College.—*Farmer Trumbull. Hist. Conn.*

†The above letters are derived from the *Mather MSS.* in the library of the Mass. Hist. Society, from which they were kindly transcribed for our purpose by Mr. J. Coffin. The MS. is obviously imperfect.

pared for the ministry by Mr. Dalton, the worthy pastor of that church. The nature of his difficulties at South Hampton is not very obvious; his reputation, however, had been assailed, in defence of which he appealed to some of the most eminent clergymen in New England.\*

The next minister was the Rev. William Milburne. May, 9, 1685, the selectmen were authorized "to treat forthwith with Mr. Milburne to know whether he will teach amongst them or not, and what satisfaction he will have of the town." At the May meeting next year, it was ordered "that the arrearages of Mr. Milburne's salary be paid by Aug. 6. and brought in to Goodman Scamman and Edward Sargeant." July 12, it was ordered "that Mr. Milburne's salary be paid as follows: in beef  $1\frac{1}{2}$ d. per. lb.; pork  $2\frac{1}{2}$ d.; wheat 4s. 6d. per bushel; peas 4s. 6d.; Indian corn 3s.; butter 5d. per lb.; boards 18s. per M.; red oak staves 16s." Arrangements were made at the same meeting for the erection of a parsonage house, to be 30 feet in length, 20 in breadth, and  $15\frac{1}{2}$  stud, and to have four chimneys. The building committee, then appointed, soon after met at the house of John Sharpe, and thus distributed their duties: Benjamin Blackman and John Edgecomb were to see the house framed, raised and enclosed; John Sharpe and George Page to see to the shingling; Scamman to have the cellar dug and stoned; and Roger Hill, Francis Backus and Pendleton Fletcher to see the chimneys made with brick. There is but one town record of that century after the year 1686; viz. in 1688, which relates to a choice of selectmen. We have therefore no further information respecting the proceedings in relation to the settlement of Mr. Milburne; but they were probably frustrated by the renewal of Indian hostilities in 1688.

A meetinghouse was built at Winter Harbor between the years 1660-1666. At a town commissioners' court,

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\*The Rev. John McDowell, pastor of the First Presbyterian church in Elizabeth Town, informs us that he has taken much pains to collect facts respecting its early history, having written and published a sketch of it, but that he has found nothing earlier than the year 1687, although the town was settled 1664, and he has always supposed there was a church as well as pastor as early as the settlement. MS. Letter.

1658, an order passed "that the meeting house shall stand by *powder beefe tree* where preparation is already made." This singular designation of the site of the building cannot now be explained. In a conveyance of a piece of marsh by Phillips to Walter Mayer 1659, the premises are said to be "near Powder Beife Tree." Hence it is probable the meetinghouse was erected near the Pool. In the treasurer's account with the town 1664, we find the following items; "Payd to John Henderson for his work at the meetinghouse 2l. 12s. Payd to Maj. Phillips for boards 4l. 5s. Payd to Robert Cooke and Simeon Booth for bringing boards from the falls for the meetinghouse 5s. The same ditto. Payd to Roger Hill for a diner 10s.; to R. Hichkox for heefe 5s." The dinner was perhaps given at the raising, for the house was not completed at that time. The next year a rate was made to defray the expense of "seeling [ceiling] the meetinghouse. After it was completed, the following arrangement was made. "Sept. 22, 1666, at a generall towne meeting it is ordered at that meeting every one to be placed in thayr seats in the meetinghouse in maner following: in the first seate, 1 Mistress Mavericke, Phillips, Pendleton, Hooke, Bonithon, Williams, Trustrum. 2 Goodis Wadock, Coman, (Cumming,) Gibbins, Booth, Buly, Hichkox. 3 Goodis Pennell, Kirkeet, Rogers, Bowden, Hill, Helson. 4 Goodis Sily, Hobs, Luscom, Maier, Wormstall, Scadlock. 5 Goodis Davis, Randall, Sergeant, D. Sergeant, Harman, Nazeter. 6 Goodise Chilson, Egcome, Henderson, Wakefeeld, Booth, Leighton. 7 Hewes, Page, Frost. Secondly it is voated that the binch before the forth seate shall be speedyly set up againe in the meetinghouse, as atest Rob: Booth, Recorder." "April, 1669, John Sharpe and James Gibbins jr. is appointed to sit in the seate with Simion Booth in the foremost seat: And their wives are to sit in the third seate with S. Booth's wife and J. Lighton's wife."\*

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\*Sullivan, p. 222, notices this record in the following erroneous manner. "A vote is recorded in the year 1666, for seating the women in the meetinghouse, and Mrs. Phillips, and Goody Booth, who was no doubt the wife of Robert Booth, Esq. were placed in the most honorable seat."

The precedence in this arrangement seems to have been given to seniority, except in a few instances. Mistress Maverick was unquestionably the lady of Samuel Maverick, Esq. one of the King's Commissioners. The accurate historian of Mass. relates, that those gentlemen, after making appointments and 'exercising divers acts of government' in N. Hampshire and Maine, returned to Boston; and that Mr. Maverick delivered a copy of a letter to the governor of that colony while setting in court, purporting to be from the King, in September 1666. The Commissioner, it thus appears, was not himself here at the date of our record, but owing probably to the unkind reception with which they had met at Boston and at Portsmouth, he was induced to leave his family at this place, the seat of the new government, where the leading men and a great portion of the inhabitants had welcomed their arrival. The lady of Mr. Maverick was Mary, daughter of Rev. John Wheelwright, whom he married at Boston 1660.\* Mr. Wheelwright left Wells about 1647, and settled at Hampton, N. H., the sentence of banishment having been repealed by the General Court on his petition a few years before. He afterwards went to England, where he was in high-favor with Cromwell, with whom he had been contemporary at the university.† After the restoration of Charles II. he returned to this country, and settled at Salisbury, Mass., where he died Nov. 15, 1679. Samuel Wheelwright of Wells, a justice 1665, was his son. He has numerous descendants in that town and vicinity at the present day. Mr. Maverick visited Boston 1667, with letters from Governor Nichols of New York, and perhaps accompanied that gentleman to England the same year. We find no subsequent notice of him.‡

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\*Winthrop's Jour. i. 201, note. †Cotton Mather's letter to G. Vaughan. iii. Belknap. N. H. Appx. I.

‡Commissioner Maverick was a son of Samuel M. of Noddle's Island; the latter died 1664. He was a wealthy planter, and owned property in this quarter; the names of his administrators (A. Checkly of Boston, John Wiswall of Dorchester) are in our county records. Letters of administration were granted to F. Hooke on the estate of Samuel Maverick jr., Nov. 1666. Antipas Maverick was of Kittery 1652. We know of no connection of either with the commissioner.

Another disposition of the matrons in the meetinghouse was made by the selectmen Dec. 9, 1674, as follows: "1st seat. Mrs. Pendleton, Goodwife Trustrum, G. Waddock, G. Gibbins, G. Cummins. 2. G. Booth, Buley, Hitchcock, Temple, Hill. 3. G. Pennell, Rogers, Bouden, Elson, Worminstall, Mar. 4. G. Silly, Carter, Sargeant, Gibbins jr. Henderson, Rule, Sharp. 5. G. Harmon, Peard, Presbury, Case, Harmon jr. Read, Henderson jr. 6. G. Edgcomb, Wakefield, Booth, Leighton, Frost, Page."

An attendance on public worship was rigorously enforced at this period by the civil authorities. Travelling on the sabbath was punished by a fine of 10s., including the officer's fee. None were excepted from the operation of these laws. Even under the jurisdiction of the King's Commissioners we find Mrs. Bridget Phillips subjected to a presentment by the grand jury for absence from public worship. John Jocelyn, Esq. the traveller, who was at this time residing with his brother, the principal magistrate of the province, at Black-point, was presented for a similar offence. "We present," say the jurymen at a somewhat later date, "Arthur Beal for travelling from his own house upon the Sabbath day, about a mile, to speak with Job Young to go with him to the Point for a boat to go to sea the week following." Mark Ree was fined 10s. "for breach of the sabbath for going to sea out of the harbor on the Lord's day where the ministry was." John Wadleigh was presented for a common sleeper on the Lord's day, at the publique meeting: the offender discharged with an admonition, paying 2s. 6d. to the recorder. Other offences that nowadays often escape punishment, were taken cognizance of by the courts. In 1667, "Juliana Cloyse, wife to John, was presented for a talebearer from house to house, setting differences between neighbors." A man was presented for idleness. The town of Scarboro' for not having a minister. Destitute towns were required to pay 50l. per annum towards the support of a minister in the neighboring town, until they were supplied. The persecution of Quakers extended into this quarter. An order was passed by the



Court 1669, that "whatsoever quakers shall act in town affairs as officers within the county of York, shall pay five pounds." Nich. Shapleigh of Kittery seems to have favored this sect, for the constable of that town was ordered "to repair to his house on two sabbath days, taking sufficient testimony with him, and to forbid him and all persons assembled giving countenance to any such persons or their meetings contrary to the laws of this jurisdiction." This was in 1663.

The royal Commissioners encouraged the revival of the church of England among the inhabitants. The magistrates were directed by them "to maintain the worship of God, and they (the Commissioners) desire that the people may be convinced of the necessity of the sacraments, which they would have administered according to the church of England." Mr. Jordan, who had laid aside the ministerial office during the sway of Mass., was now desired by the people to baptize their children. This state of things continued, however, but a short time.

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## CHAPTER XI.

The discontents of some of the inhabitants of the Province under the arrangement of 1665, led them to petition the Mass. government to resume a jurisdiction. Four commissioners, accompanied by a military escort, were immediately sent from the Bay, who came to York in July, 1668. Mr. Jocelyn, and others of the justices, had an interview with them on the morning of the day assigned for the opening of the court, and remonstrated against their exercise of power in opposition to the commands of the King. It was of no avail, however, for the commissioners proceeded to the meetinghouse and opened the court. Notice had been previously given to the towns to elect associates, and the marshal was now directed to read the returns. Five out of seven towns made returns, in one of which, say the commissioners in their report, "a-

bove half the electors sent in their votes." We hence infer that a majority in the other towns were opposed to coming again under the power of Mass. While the court was engaged in examining the votes, the Justices appeared at the door of the house, where they made proclamation that all should attend to the King's commands; upon which the marshal of the Commissioners was directed to proclaim, "that if any person had commands from his Majesty, the court was ready to hear them." The Justices then entered the house, and desired that a letter from Col. Nichols, one of the royal commissioners, addressed to the Mass. government, should be publicly read to the people. The Commissioners replied that their request should be complied with in the afternoon. During their adjournment, at noon, the Justices proceeded to hold a General Assembly of the Province in the same house; deputies from the different towns were present, legally chosen, and public notice of the meeting of the Assembly was given by the marshal of the Province and his assistant. The Commissioners endeavored to prevent this step, and caused the marshal and his assistant to be arrested; but on going to the meetinghouse they found their seats occupied by their opponents, and the house filled with people. Mr. Jocelyn and the other gentlemen consented to resign their places, however, provided their commission and the King's mandamus should be read; this being done, the Commissioners were left in possession of the house. On calling upon the associates found to be returned, to take their oaths, one of them, Mr. Roger Plaisted, of that part of Kittery now S. Berwick, desired to know by what right the government of the Province was re-assumed by Mass.; to whom the Commissioners replied, *'by virtue of their charter.'* The customary civil and military officers were then appointed. Mr. Pendleton, the associate from Saco, received the commission of Major of the forces in the County of York, as the Province was again styled.

The foregoing account is chiefly derived from the report made by the Mass. gentlemen to the General Court. Mr. John Jocelyn, then residing at Black-point, has given a

different statement of the circumstances. This author is reproached by the Mass. writers as a prejudiced person, entitled to little or no credit ; we know not, however, why he should be more likely to pervert facts, than the parties on the other side. Jocelyn says : "Sir F. Gorges suffered in the cause of the King ; wherefore he was discountenanced by the pretended commissioners for foreign plantations, and his Province encroached on by the Mass. Colony, who assumed the government thereof. His Majesty that now reigneth (Charles II.) sent over his Commissioners to reduce them within their bounds, and to put Mr. Gorges again into possession. But these falling into a contest about it, the Commissioners settled it in the King's name, (until the business should be determined before his majesty,) and gave commissions to the Judge of their courts and the justices to govern and act according to the laws of England, and by such laws of their own as were not repugnant to them. But as soon as the Commissioners were returned for England, the Massachusetts enter the Province in a hostile manner with a troop of horse and foot, and turned the judge and his assistants off the bench, imprisoned the major or commander of the militia, and threatened the judge and some others that were faithful to Mr. Gorges' interest."\*

The inhabitants did not all quietly submit to this arbitrary resumption of power. That old offender, and inveterate enemy to their authority, Mr. John Bonython, was again brought before the court for contempt. It was ordered, that if he "would give bonds for his appearance at the next court of assistants, or associates, to answer for his contempt of his Majesty's authority settled in the Colony, and in the meantime keep the peace and submit to his Majesty's government, it would be accepted. At the first Mr. Bonython refused to accept the court's tender, but upon further consideration yielded his subjection to this authority of the Mass. under his Majesty, for further confirmation whereof he and his son, Mr. Thomas Bonython, did both of them take oath in the presence of

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\*Jocelyn's Voyages. 199.

this court." John accordingly appeared at the next court. The presentment of the grand jury was as follows: "We present John Bonython, senior, for his contempt of the Mass. government, and for saying that the Bay men are rogues and rebels against his Majesty, and that rogue Maj. Leverett he hoped would be hanged, and if he wanted a hangman, he would be one for them." Fined 22*l*. Mr. Bonython gave as security for the payment of the fine Mr. Seth Fletcher 5*l*. ; R. Foxwell 6*l*. ; R. Cummins 6*l*. ; J. Gibbins 50*s*. ; J. Presbury 50*s*. Thomas Taylor was presented at this court "for abusing Capt. F. Raynes being in authority by *thee-ing* and *thou-ing* of him, and many other abusive speeches." John Bonython jr. and Thos. Bonython were presented "for living in a disorderly family in the house of their father, a contemner of this authority."

The usurpation by the Mass. Colony at this time, was a bolder step than the former one ; since the government of the province had been assumed in trust by the crown, to be restored to the party in whose favor a decision should be made in England. Renewed exertions were now used by the lord proprietor and his friends to obtain a recognition of his title. Petitions were sent from the Province, complaining of the subversion of the King's authority by the Bay magistrates, and desiring the crown again to interpose. At length they so far prevailed as to obtain letters from the sovereign, dated March 10, 1675-6, requiring the Mass. Colony to send over agents to appear before him in six months after the receipt of the letters, with full instructions to answer the complaints and receive final judgment in the case. The Colony deputed William Stoughton of Dorchester, and Peter Bulkley of Concord, for this purpose ;\* "who were ready to attend his Majesty's pleasure at Whitehall, [says a writer of that period] within the time limited in his royal letters ; and not long after, upon a just hearing of the allegations of each party, his majesty was pleased to give his final determination, wherein he saw cause to confirm unto the Massachusetts their charter, with the *original* bounds of

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\*The former was afterwards lieut-governor and chief-justice ; the latter had been speaker of the house of deputies.

the same ; and the Province of Maine was also, by the said determination, not altered, but left to the heirs of Sir F. Gorges, both as to soil and the government.”\* Thus Sir Ferdinando received a full confirmation of his title to the property and jurisdiction of the Province, to which he had succeeded as the oldest son of Sir John Gorges, the heir of the original grantee and lord proprietor. No sooner, however, was the decision obtained, than an agent of Mass. made propositions for the purchase of the province, which were accepted : in March 1677, Gorges transferred his title for the sum of twelve hundred pounds sterling.† This step of the proprietor excited the surprise and astonishment of the inhabitants of the province, and gave offence to the King, who claimed a prior right to make the purchase for the protection of his subjects from the abuses of which they had complained, and demanded a re-assignment to the crown, offering to re-pay the agent of the Colony the consideration he had given. A ‘Declaration,’ or remonstrance, signed by a large number of the principal inhabitants, opposed to the transfer, was forwarded to England ; and it even became necessary for the government of Mass. to send an armed force into the Province to quiet the people. The Colony however refused to accede to the wishes either of the king or the inhabitants, and proceeded to establish a separate jurisdiction over the purchased territory, which was regarded as a province, in the right of Gorges, and no longer a part of their own territory, conveyed by their patent. That pretence being no longer necessary, was now abandoned. The following proclamation was issued on the organization of the government, a new mode of administration being commenced, in which the provincial style was adopted, and a distinct but dependent jurisdiction established.

“York, 17 March, 1679-80. The freeholders of the Province of Maine being summoned met ; a commission

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\*Hubbard. Hist. N. E. 613. Hutchinson. Hist. Mass. i. 281.

†Sullivan, 383, says the sale was effected “while the matter was in discussion before the King and Council,” and this statement is supported by the King’s letter of 1679. Hutch. Hist. i. 294.

under the seal of the Governor and Council of his Majesty's Colony of Massachusetts was openly exhibited and read, declaring that the said Governor &c. are now the lawful assigns of Sir F. Gorges, Knight, to the end that the abovenamed Province might be protected in the enjoyment of their just right and privileges according to the rules of his Majesty's royal charter granted unto the abovenamed Sir F. Gorges, Kt. The abovenamed Governor and Council have erected and constituted a Court and Council—they have chosen and deputed Thomas Danforth, Esquire, for the first year, **PRESIDENT**. The within named gentlemen are commissioned for the first year: Capt. John Davis, Major B. Pendleton, Capt. Joshua Scottow, Capt. John Wincoll, Edward Rishworth, Francis Hooke, S. Wheelwright, Capt. Charles Frost."

The warrants for the choice of deputies to the General Assembly, to be holden at York, were then sent forth, and the session commenced March 30, 1680. E. Rishworth was chosen Secretary; F. Hooke, Treasurer of the Province. Maj. Bryan Pendleton was appointed Deputy President, and authorized with the assistance of other members of the Council, or justices, to hold intermediate terms of court. John Davis of York succeeded Maj. Pendleton as deputy-president the following year. In 1684, the Assembly consisted of the President, Deputy President, Assistant, six Justices, and twelve Deputies. Full powers for the regulation of the affairs of the Province seem to have been committed to this body. Its proceedings were of a very mixed character; laws were made and enforced; legal questions settled; letters of administration granted, and estates proved; military commissions issued: provision made for the public safety in war; roads laid out; the religious affairs of towns superintended; and in short, every subject of public, and many of private interest, came under the cognizance of these courts. An election sermon was preached at the commencement of each session. The Rev. Shubael Dummer, minister of York, performed this duty 1683.

President Danforth did not reside permanently in the Province; his family remained at Cambridge, Mass. He was a popular and prudent magistrate. He held the of-

fice of Deputy Gov. of Mass. at the same time. Saco sent one deputy to the Assemblies under this government ; the first year, Mr. John Harmon ; in 1682, Mr. John Davis, who, the record of the court says, 'was disaccepted as a scandalous person.' The laws of the Mass. Colony required a deputy to the Gen. Court to be 'sound in the orthodox faith,' as well as not 'scandalous in conversation.'\* The refusal of a seat to Davis shows that one at least of these requisitions was observed in reference to the Assemblies of the Province. In 1683, the town was represented by Mr. Benjamin Blackman ; the next year by John Sargeant ; in 1685 by Capt. George Tursfrey.

The government might now appear to be firmly established ; the inhabitants at length became reconciled to it, and the conflict of patents and titles was no more. But another revolution awaited them. James II. succeeded to the throne of England 1685 ; in April of that year he was publicly proclaimed at York in this Province. The old scheme of a general government for the colonies was soon after revived ; the charter of Mass. was recalled, and a President appointed for all New England. Joseph Dudley, Esq. received the commission of President early in 1686. A council was appointed at the same time, composed of seventeen gentlemen, resident in different parts of N. England ; among whom was F. Champernoon, Esq. of Kittery, who had been of the Council of Gorges in 1640. Under this administration, Danforth was removed from his office, and a court composed of William Stoughton, Judge, John Usher and Edward Tyng, Esquires, Councillors, with a justice from each town, sat at York in October of the same year. President Dudley was superseded by Sir Edmund Andros before the close of 1686, whose arbitrary government lasted about two years, terminating with the reign of his master. In the winter of 1688, Andros came into the Province at the head of six or seven hundred men, for the destruction of the Indians ; but the energy manifested on this occasion was ill-directed, and proved ruinous to his

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\*Ancient Charters and Laws of Mass. Bay. 98.

followers alone. The enemy easily eluded him. He marched from Boston to Pemaquid, forty miles east of the Kennebec, amid the rigors of winter, without seeing a solitary savage. He returned early in the spring by water, attended by Mr. Randolph, his principal counsellor. It appears from a letter of the latter, addressed to Mr. Povey, that Governor Andros stopped at Winter Harbor on his way to Boston. "At our return," says Randolph, "we saw very good land at Winter Harbor, enough to make large settlements for many people; the governor will have it measured, and then surveyed, and then will dispose of it for settlements."\* The rapacity of Andros was unbounded; he doubtless intended to make a profitable speculation out of the lands with which he was so much pleased. The best established titles presented a feeble obstacle to his wishes. But news of the revolutionary movements in England reaching Boston soon after his return, he was forcibly seized and sent out of the country. After this event, President Danforth resumed the duties of his office,† which he probably continued to exercise until the reception of the new Charter in 1692. This instrument provided "that the territories and colonies commonly called and known by the names of the Colony of the Mass. Bay, and Colony of New Plymouth, the Province of Maine, the Territory called Accada, or Nova Scotia, and all that tract of land lying between the said territories of Nova Scotia and the said Province of Maine, be incorporated, &c. into one real Province by the name of our Province of the Mass. Bay in New England." Maine, as far as Nova Scotia, was constituted a county under the old name of York; and continued undivided until the year 1760, when the County of York was reduced to its present limits.

A union of Saco with the town of Cape Porpoise, now Kennebunk-port, seems to have been ordered by Gov. Andros, as it appears from the following record, the last contained in the old town book: "By a legal town mee-

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\*Hutch. State Papers. 564.

†This fact is not stated by any writer within our knowledge, but is derived from instructions given to Col. Church by the President in 1639. Church's Narrative. 92. (second edition.)



ting for Saco and Cape Porpoise according to law, on Monday, 21 May, 1688, whereat Thomas Shepherd, Francis Backus, John Edgecomb and John Abbot are chosen selectmen for Saco, and Richard Peard constable for the same; and John Miller and Nicholas Mering selectmen for Cape Porpus, and Richard Randall constable for the same, and it is ordered that if Cape Porpus will not accept of the selectmen and constable chosen by the town of Saco, then the selectmen in Saco and constable for the same, shall act and do for them as selectmen and constable of the same. Also Edward Sargeant, is chosen commissioner, and William Geale town-clerk, and Thos. Doubty town treasurer." The records of Cape Porpoise for that period are not preserved, and we are unable to explain the cause of this temporary union, of which we find no other notice.

Jocelyn, whose 'Voyages' we have so often quoted, published 1672, has given a brief description of the towns in this quarter, with which their present populous condition affords a striking contrast. He says: "Towns there are not many in this Province. Kittery is the most populous. Next to the eastward is seated by a river near the sea, Gorgiana, a Mayoralty and the metropolitan of the Province. Further east is the town of Wells. Cape Porpoise east of that, where there is a town by the seaside of the same name, the houses scatteringly built. All these towns have store of salt and fresh marsh with arable land, and are well stocked with cattle. About 8 or 9 miles to the east of Cape Porpoise is Winter Harbor, a noted place for fishers; here they have many stages. Saco adjoins to this, and both make one scattering town of large extent, well stored with cattle, arable land, and marshes, and a sawmill. Six miles to the east of Saco and 40 miles from Gorgiana, is seated the town of Black-point, consisting of about 50 dwellinghouses, and a Magazine or Doganne, scatteringly built. They have store of neat and horses; of sheep near upon 7 or 800; much arable and marsh, salt and fresh, and a corn-mill. To the south of the point (upon which are stages for fishermen) lie two small islands; beyond the point north east runs the river Spurwink. Nine miles east of

Black-point lyeth scatteringly the town of Casco, upon a large bay, stored with cattle, sheep, swine, abundance of marsh and arable land, a cornmill or two with the stages for fishermen. Further east is the town of Kennebeck seated upon the river. Further yet east is the Sagadahock where are many houses scattering, and all along stages for fishermen; these too are stored with cattle and cornlands."

The Rev. William Hubbard, of Ipswich, published in 1677, a history of the war with the Indians, then just terminated at the west, and devoted a separate portion of his work to the eastern country. This book having passed through numerous editions, is probably familiar to most of our readers; but a brief extract descriptive of the plantations in this vicinity, will not be out of place. "Not far from Casco bay, to southward or southwest, is a river called Spurwink, over against which lies Richmond Island, not far from the main land, being divided therefrom by a small channel, fordable at low water; it hath for a long time been the seat of Mr. Jordan in the right of Mr. Winter, the former if not the first proprietor thereof, whose daughter he married. The next plantation southward is called Scarborough, a small village seated upon Black-point, over against which is another point, for distinction from the former called Blue-point. This Black-point was lately the seat of Mr. Jocelyn, being a parcel of the Province of Maine, or falling within the precinct thereof, and was formerly by patent granted to the said Jocelyn or his predecessors, since purchased by Mr. Scottow of Boston. Saco river lies next in order to Pascataqua, a navigable river, where Major Phillips had a commodious situation lately; at the mouth of which river lies Winter Harbor, encompassed on one side by a neck of land, formerly the property of one Mr. Winter whose name it still retains,\* but lately purchased by Maj. Pendleton, where he enjoyed a very comfortable seat and habitation."

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\*This error of Mr Hubbard is sufficiently obvious; Winter of Richmond island was the only person of the name in this quarter at an early date.

The towns in the western part of the Province, especially Kittery, took the lead in business and population very soon after the settlements were made. The town of Kittery was of great extent, reaching twelve or fifteen miles up the principal branch of the Pascataqua. The following list of county rates for the year 1662, shows the relative valuation of the towns at that time. "Kittery 10*l.*; York 7*l.*; Wells 7*l.*; Cape Porpoise 3*l.*; Saco 6*l.*; Scarboro' 7*l.*; Falmouth 6*l.*" Another list taken 1688; "Kittery 16*l.* 3*s.* 6*d.*; York 6*l.* 1*s.* 10*d.*; Wells 4*l.* 3*s.* 4*d.*; Saco 3*l.* 19*s.* 2*d.*; Black-point 3*l.* 16*s.* 2*d.*; Falmouth 4*l.* 8*s.* 4*d.*; Cape Porpoise 1*l.* 10*d.*; Isle of Shoals 1*l.* 10*d.*" The amount to be raised in the last year, was 41*l.* 14*s.* 4*d.* at a  $\frac{1}{2}$ *d.* per pound. The property rated in Saco by this estimate was valued at 1700*l.* or about \$7000. The town was at that time in a much less flourishing condition than it had been during the residence of Phillips and Pendleton, and before the depredations of the Indians commenced. Nor is it probable that an accurate valuation was made.

A prison was ordered to be built at Casco 1668. The following record informs us of the proportion of the expence levied upon this town. "March 6, 1668. The selectmen being mett to make a rate for charges about the gaole or prison at Casco, the deputies there do order this towne to pay 15*l.* 16*s.* 11*d.* which sum is concluded on, and a rate made by them to be gathered in by the 25 day of this month where the constable shall apoynt, in wheat at 5*s.* 6*d.* the bushel; indian corn at 3*s.* 6*d.* any other pay at pryce curant: pease at 4*s.*: the place of receiving the pay is appoynted to be at the stage, in Ralph Trustrum house there, and four pence for every bushel they shall pay beside to R. Trustrum for the freight of it, and for any other pay they may agree with goodman Trustrum to carry it."

Sullivan quoting a part of this record remarks, that "it may be concluded from it that there was no great scarcity of money in the country at that time." The meeting of 'deputies at Casco' probably had reference to a special object. It was holden on the last Tuesday of

February ; R. Booth was instructed to present 'the town's estate,' and to 'act in its behalf.' The General Assembly met at Saco in May following.

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## CHAPTER XII.

A numerous tribe of Indians dwelt about the mouth of Saco river, and near the principal falls, when the early European navigators visited our shores. And long after the settlements of the English were here made, they still lingered in considerable numbers in their ancient places of abode, mingling familiarly with the new inhabitants. Their rights were evidently respected, while severe retributions were sure to follow the commission of acts of violence or mischief. Thus the records of 1636 show, that while the planter was required to use his best endeavor to apprehend, or kill, any Indian known to have murdered any English, or destroyed their property, he was also compelled to pay satisfaction to the Indian he wronged. In this manner the utmost tranquility appears to have prevailed in the Province throughout the lives of the first colonists, in their relations with the natives. The friendly intercourse of the natives with the inhabitants continued undisturbed, till the bold and restless spirit of the chief of the Wainponoags of Narraganset bay, commonly styled King Philip, conceived the design of exterminating the whites by a general insurrection of the tribes throughout New England. Some alarm was excited a few years before hostilities commenced, by certain movements of the same chief, and in 1671, a warrant came to the towns in Maine from the Major General, directing them to be furnished with the necessary stores of ammunition ; when our townsmen ordered Maj. Pendleton to procure for them 'with all convenient speed', a cwt. of swan shot and pistol bullets, and a barrel of powder. This speck of war soon vanished, however, and not long after we find the town censured 'for not providing a stock of powder and balls according to law.' The militia of

the province at this period, amounted to 700 men, distributed in the different towns in the following proportion : Kittery contained 180, York 80, Wells and Cape Porpoise 80, Saco 100, Black-point 100, Casco bay 80, Sagadahock, 80.\*

The plans of Philip, extensive and deeply laid, were not fully ripe for execution, when on 24 June, 1675, an accidental affray occurring between a number of English and Indians near Providence Plantations, kindled the flame of war. The news soon reached this Province, and 11 July, Henry Sawyer of York, communicated it by letter to the inhabitants of Kennebec. The first symptoms of a disposition to follow in the steps of the western Indians, were shown in the plunder of the dwelling and trading house of Mr. Thomas Purchase, the old planter at Pegypscot, (Brunswick) by about twenty of the Androscoggin tribe in the absence of Purchase and his sons. They pretended to have been wronged in their dealings with him, but satisfied themselves with taking a supply of liquor and ammunition, spoiling a feather bed, and killing a few sheep. 'These,' says a writer of that day, 'were but the messengers of death,' for as they departed, they warned the family that others would come and do them greater injury. A few days after, the house of John Wakely, situated on the east of Presumpscot river, within the limits of Casco, or Falmouth, was attacked, and the family, composed of the old man and his wife, his son, with his wife and three children, were cruelly murdered. Another child named Elizabeth, about 11 years of age, was carried away, it is said, among the Narragansets ; a circumstance that shows the connexion between the western and eastern Indians in these hostilities.

The principal Sachem of the Saco Indians at that time, was called Squando. He was not only a chief, but a powow, or priest, and by the practice of mysterious rites and a species of sorcery, had acquired great influence among his brethren. He appears to have dwelt in the neighborhood of the settlements, and to have discovered marks of attachment to the white inhabitants, until an un-

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\*Chalmers' Polit. Ann. i. 507. quoted by Holmes, Am. Annals.

happy cause of offence arose, at the very time when the emissaries of king Philip were striving to excite the eastern Indians to acts of hostility. The wife of Squando, with an infant at her breast, was passing on the river, when some English sailors thoughtlessly overset the canoe, for the purpose, they pretended, of seeing whether the children of Indians were, like brute animals, naturally swimmers. The mother recovered the child, but it soon after fell sick and died. Squando was deeply exasperated by this insulting and afflictive act, and became at once a zealous and powerful promoter of war. Uniting with a band of the Androscoggin savages, he prepared them for an attack on our townsmen. Notice of their approach, and of the presence of a western Indian with them, was fortunately given by a friendly native, and the inhabitants who lived about the falls, retired into the garrison house of Major Phillips. This house was a few rods below the falls, on the western side of the river ; the mansion of S. Peirson, Esq. is nearly on the same spot. A few days after, Saturday morning, Sept. 18, the house of Mr. John Bonython, on the eastern side of the river, was discovered at the garrison to be on fire. Bonython had deserted it only a day or two before, to avoid being exposed to the expected assault. There was just time enough after the alarm thus given, to collect all within the garrison and prepare to receive the enemy ; for in half an hour a sentinel placed at an upper window, espied an Indian lurking by the side of a fence near a cornfield. The discovery being communicated to Maj. Phillips, he ran up to satisfy himself of its reality, when one of the men following him, cried out, "Major, do you intend to be killed?" at that moment he turned round, when a bullet struck him in the shoulder, which would doubtless have proved fatal, had he retained his first position. The wound was slight. The Indians, supposing the major was killed, started up from their concealment, shouting with exultation. The people in the garrison immediately opened a brisk fire upon them, in the course of which their leader was so severely wounded, that he retired from the place of action, and died a few days after in the woods three or four miles distant. The attack lasted about one hour, when

the savages, discouraged by the resolute defence of the garrison, despaired of taking it by assault.

They now began destroying the adjacent property of Major Phillips; set fire to his saw mill, after that to his corn-mill, and burned a house occupied by one of his tenants. They hoped by this means to draw the men out of the garrison, calling repeatedly to them, "Come out, you cowardly English dogs, and stop the fire!" Finding this had not the desired effect, they renewed their assault on the garrison, and continued it during the afternoon. The people resisted them stoutly, although somewhat disheartened by not receiving relief from Winter Harbor, which they expected in the course of the day. One of the best men was disabled by a wound, in the early part of the attack, but animated by Major Phillips, they held out through the night. Towards morning it was suspected from the hammering and other noises about the half-burned mills, that they were devising some mode to set fire to the house; and accordingly about four o'clock, after the setting of the moon, a cart was discovered approaching the garrison, drawn by oxen, the drivers and others protected by a sort of rampart built up in front. It was filled with straw, birch bark, powder, and other combustibles, which they intended to throw on the house, having long poles for this purpose. Fortunately as this novel engine drew near, (the men being ordered to reserve their fire until it came within pistol shot,) exciting the consternation of the besieged, one of the wheels in passing a small gutter stuck fast in the mud, and caused the cart to incline to the left; by which means the Indians were exposed to a raking fire from one of the flankers of the garrison. Six of them were killed, and fifteen wounded. After this loss, they forthwith decamped, and at sunrise were all gone. The exact number was not known, but was computed at not less than a hundred. The garrison contained 50 persons in all, but only ten effective men. Not one life was lost. The savages went off in the direction of Blue-point. Major Phillips sent that day (Sunday) to Winter Harbor for assistance, informing the inhabitants of what had passed: but no relief appearing, and having consumed their ammunition, they all remo-

ved to that part of the town on Tuesday. About a fortnight after, the Indians came and burned the house. All the houses above Winter Harbor were destroyed soon after. A Mrs. Hitchcock was taken and carried away at this time, who died the winter following by eating some poisonous roots for ground nuts, while wandering in the woods. At least, this was the account afterwards given by the Indians. Not long after five persons going up Saco river, were cut off by the same party of Indians.

In the month following, the heroic Lieut. Plaisted was killed with many others, at Newichawannock, (South Berwick,) and in the lower part of Kittery several were cut off. About the same time, Lieut. Andrew Augur (or Alger,) and two others were attacked by a party of Indians in Scarboro'. After exchanging several shots, the savages left them, and set fire to the neighbouring houses. Lieut. Augur died soon after of the wounds received in the attack; his brother Arthur was likewise killed in a few days not far from the same place.\* Their houses stood in a field now owned by Judge Southgate, and near his residence, where kernels of corn and wheat, partially burned, have been found within a few years, which have remained undecayed since 1675. The widow of Arthur Augur removed to Marblehead, Mass., where she executed a deed of a piece of land lying at Black-point, which had been granted to her father, Giles Roberts, by Mr. Henry Jocelyn; the deed is dated Aug. 1676. Andrew Augur was among our inhabitants 1653, and received a grant in the partition of town lands in that year. As early as 1651, the brothers purchased a tract of 1000 acres in Scarboro', from the widow and two children of a Sagamore, according to the acknowledgement of one of them taken twenty years after.† Arthur leaving no heirs, John, the son of Lieut. Augur, inherited this property, which he transmitted on his decease to his five daughters. Of these Elizabeth married Mr. John Milliken, the ancestor of the numerous families of that name in Scarboro' and Saco; who purchased out the other heirs, and

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\*Hubbard. †See Appendix E. The name of Andrew appears in the court records 1640. Above, p. 59, for *Arthur* read Andrew.



at his death left the whole estate to his sons. The tract lies chiefly in the parish of Dunstan, extending nearly two miles on the post road, and includes the valuable estate of Hon. Robert Southgate.

In the course of the season, Capt. Wincoll, of Newichawannock, marched with a small company to the relief of his eastern neighbors. After one skirmish with the enemy, in which he lost several of his men, he was attacked by a party supposed to consist of 150 in all, while marching on the seashore. His number was only eleven, yet by taking shelter behind the rocks, near the water side, they plied their guns so well as to kill several of the Indians and beat off the rest. The scene of this engagement is not mentioned in the account, but it appears to have been on the eastern side of Saco river. Some of our inhabitants, nine in number, hearing the guns, repaired to the relief of Wincoll, but unhappily falling into an ambush, were all cut off, with two others that lived near the spot. The Indians retired to Black-point, where they burned seven houses and destroyed a number of the inhabitants.

From the commencement of hostilities to December, 1675, it was computed that upwards of 50 of the English settlers between the Pascataqua and the Kennebec, were slain in the different encounters, and nearly a hundred of the enemy. The winter setting in unusually severe, the Indians were so much pinched by cold and hunger, that they sued for peace, and with this view came to Major Waldron of Dover, N. H. 'expressing great sorrow for what had been done and promising to be quiet and submissive.' A general peace with the eastern Indians was then concluded, which lasted until the succeeding August. Many captives were now restored. Among them was Elizabeth Wakely who had been taken at Casco. She was returned by Squando, the Saco Sagamore, to Maj. Waldron in June. Besides the authority of Hubbard for this fact, we find on record the following deposition, taken at Dover Feb. 15, 1723 :

"Robert Evans testifieth, that some time in a war that was called Philip's war, the now Elizabeth Scamman was brought in by the Indians to Cochecho, (Dover,) and she went by the name of Elizabeth Weakle, and the report was that she was taken at Casco bay, her grandfather and

father were killed." Elizabeth at the date of the deposition was about sixty years of age.\*

The depredations of the Indians were renewed 11 August, 1676, the day before that of the death of King Philip, and the consequent termination of the war in the western colonies. The first outrage was committed at Casco, to which the Androscoggin Indians were instigated by a notorious western savage called Simon. This fellow and two others who had been the actors in many bloody scenes in that part of the country, when the war was there drawing to a close fled into this quarter for safety ; but being taken, they were committed to Dover gaol, whence they contrived to make their escape. They took refuge among the Androscoggin tribe and soon after were concerned in a treacherous attack on Casco, killing and making prisoners of more than thirty persons. At the same time the settlements on the Kennebec were laid waste.

The news of these depredations reaching Boston, a small force consisting of 130 soldiers and 40 Natick Indians, was sent down by the Government. Arriving at Dover, Sept. 6, they were joined by Capt. Charles Frost of Kittery, with his company, and there seized and disarmed a large body of Indians, who had been concerned in the war at the westward, now at peace. They were assembled at the house of Major Waldron, whom they professed to regard as their friend and father. Their number was upwards of 400, one half of whom, known to have escaped from Massachusetts, were sent to Boston and there hanged, or sold as slaves. The rest were peaceably dismissed. The troops then marched to Casco, stopping at Newichawannock, Wells, Winter Harbor and Black-point ; they met with only two Indians in their march, but were constantly hearing of outrages in different places not far off. While they were at Casco, Mr. James Gooch of Wells was shot from his horse as he was returning from meeting, Sept. 24 ; his wife was barba-

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\*She was perhaps the wife of William Scamman, a son of Richard, who resided at Portsmouth 1642. Richard married a daughter of William Waldron of Dover, and his son William was born 1664. *Farmer. Geneal. Register.*

rously murdered at the same time. Other deeds of violence equally cruel were perpetrated in that vicinity, at York, Cape Neddick, and other places. But when the forces returned, the savages escaped back into the woods. Soon after, Octo. 12, about 100 of them, under a noted fellow called Mogg, (who is stated to have mingled much with the settlers, and was perhaps the same that sold lands to Major Phillips a few years before,) attacked the garrison at Black-point, commanded by Mr. Jocelyn. The fortification in which the inhabitants were collected, was built near the extremity of the point, and might have been easily defended. Mogg being familiarly known to Mr. Jocelyn, held a parley with him at a short distance from the garrison, and offered to allow all to depart with their goods on the surrender of the place. When these terms were proposed, Mr. Jocelyn returned and found the people had escaped by water; none were left but his own family and servants, incapable of making resistance. He was thus compelled to surrender. The inhabitants were blamed for their conduct in this affair. We are not informed what treatment the captives received from the Indians. Mr. Jocelyn must have been far advanced in life at that time; he is said to have removed afterwards to the Colony of Plymouth.\* The Indians appear to have moved over as far as Saco river, since the house of Thos. Rogers near Goose-fair brook, was burned this month.† There is a traditionary story, that Mr. Rogers removed to Kittery on the breaking out of the war, together with other inhabitants of the town, a party of whom afterwards came down to take away their goods. Landing at Blue-point, they made their way along the beach, until having nearly reached the house of Mr. Rogers, they were all cut off by a party of Indians who lay in ambush. John Rogers, a son of Thomas, was of the number. Their bodies were found by the inhabitants and buried near the beach. Whether this melancholy event occurred at the same date as the burning of Rogers' house and the capitulation of Mr. Jocelyn at Black-point, does not appear with certainty. It is known, however, that the inhabi-

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\*Sullivan. 368. †Farmer.

tants at Winter Harbor fled with their effects at this time, until they heard that the Indians were gone to the eastward, when they returned.\* A treaty of peace was made by the Governor and Council late in the autumn with the principal sachems, who employed Mogg as their agent, by whom it was signed at Boston Nov. 6, 1676.

Notwithstanding the treaty, it was suspected that the Indians intended to renew hostilities, and early in February, an expedition under the command of Maj. Waldron sailed from Boston for the eastern coast. They touched at different places as far down as Pemaquid, where a conference was held with a company of the savages, that terminated unfavorably. Major Waldron caused a fort to be built on the Kennebec in which he stationed Capt. Sylvanus Davis with forty men. The forces returned to Boston, 11 March, without accomplishing much towards tranquilizing the country. Of the garrison left at Kennebec, nine were soon after cut off by surprise, and the remainder returned home in April. In the course of that month, several persons were killed at Wells and York, among them Benjamin Storer of the former place; the leader in the mischief was the noted Simon. In May, a party laid siege to the garrison of Black-point, which was obstinately defended for three days; Lieut. Tappen, the commander, being a man of great courage, at length succeeded in driving them off by fortunately shooting Mogg, the leader of the assault. They went away in canoes, and some of them going towards York, destroyed more lives in that quarter. In June, Capt. Benjamin Swett of Hampton, and Lieut. Richardson, were sent with a party of 200 friendly Indians and forty soldiers on an expedition to the Kennebec. The vessels anchored off Black-point, where the captain being informed some Indians had been seen, went on shore with a detachment of his men, and being joined by some of the inhabitants, making 90 in all, marched in pursuit of the enemy. They were discovered in three divisions on a plain: but retreated until they had drawn Swett's party two miles from the fort, and then turning suddenly, threw them into con-

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\*Hubbard.

fusion by a bold attack. A furious battle ensued; many of the soldiers being young and inexperienced in savage warfare, were killed while retreating towards the fort; and Capt. Swett, who fought with the utmost bravery, was at length slain. Sixty English fell in this action, including a number of the inhabitants.

The fishermen were not spared; during this season more than twenty boats were taken by the savages, as they lay apparently secure in the harbors. 'Thus,' says Hubbard, 'was another summer spent in calamities and miserable occurrences amongst the eastern parts.' At length in the month of August, some forces arrived at Pemaquid from New York, and took possession of that part of the country in the name of the Duke of York; after this event, the Indians discontinued their outrages, and even restored a number of prisoners in the autumn. In the spring, Major Shapleigh and Capt. Champernoon of Kittery, and Mr. Fryer of Portsmouth, were appointed commissioners to settle a treaty with Squando and the other chiefs. The terms were agreed upon at Casco, where the Indians brought their prisoners. It was stipulated in the treaty that the inhabitants should be allowed to return to their habitation on condition of paying one peck of corn annually for each family, by way of acknowledgement to the Indians for the possession of their lands. Major Pendleton alone was required to pay one bushel.\* Thus ended the first war with the Indians.

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## CHAPTER XIII.

The inhabitants appear to have remained at Winter Harbor through this war, except the temporary dispersion already noticed after the capitulation of Mr. Jocelyn at Black-point. Some, however, removed who did not afterwards reside here. In this number was Maj. Phillips,

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\*Belkn, N. H. i. 129.

of whom we propose to give a brief account. A William Phillips was admitted freeman at Boston 1640. And in 1654, Lieut. Wm. Phillips, junior, was authorized by the Gen. Court "to collect the excise on wines, and to have deputies under him."\* Our townsman was styled Lieutenant on his first coming here, with the addition of *vintner*. The name of Phillips was then, as at the present day, borne by distinct families. The Rev. George, who settled at Watertown 1630, the ancestor of the late Lieut. Governor of Mass., was not related to our townsman, so far as it can be ascertained.† Phillips removed to this place 1660, and soon after sold his house in Boston to Maj. Thomas Savage. It stood at the North-end on Salem street, where he owned 18 acres of real estate.‡ Beside speculating in wild lands, now the seats of cultivated towns, Maj. Phillips became extensively (for those times) engaged in lumbering. The year after his removal he purchased  $\frac{1}{4}$  of Capt. Spencer's sawmill, and the next year employed Capt. John Alden, his son in law, to build another, conveying to him  $\frac{1}{4}$  after it was completed. In 1667, we find him conveying half of 'the island against the mill,' (now factory island) to Capt. John Bonython, for the consideration of 800 pine trees, suitable to make merchantable boards. The spring after, he engages to pay Mr. Richard Hutchinson of London, merchant, 1517. sterling. 'in good merchantable pine boards at the saw mills at Saco falls.' He also had a grist mill, situated near his sawmill.

It is impossible to look over the records of the town during his residence here, without perceiving that much deference was shown by the inhabitants to Maj. Phillips in all their affairs. As the proprietor of the patent, he had great power in his hands. Most of the early settlers who had lands from Mr. Vines, found it necessary to obtain a confirmation of their titles from him. He seems to have enforced a rigid respect from the inferior planters; there is a tradition that a man was fined for saying,

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\*Mass. Colony Records. †MS. Genealogy. Sullivan, 221, states otherwise. That he appeared among the freemen of Saco 1653, is another error of the historian, 221. ‡Suffolk Records.

*“Major Phillips’s horse is as lean as an Indian dog.”* He took the part of Gorges in the dispute with Mass., the Lord proprietor having confirmed to him his Indian purchases.\*

His principal tract was bought of the Sagamore Fluellen 1661, eight miles square. It now comprises nearly the towns of Sandford, Alfred, and Waterboro. One half of this tract, called the 19000 acres, he divided in 1676 among the following persons, viz. Samuel, his oldest, and William, his youngest sons; Mary Field, Martha Thurston, Rebecca Lord, Elizabeth Alden, and Sarah Turner, his daughters; Zachary Gillum, Robert Lord, of London, mariner, and Ephraim Turner, his sons in law; Elephel Stratton, Peleg, John, and Elisha Sandford, his wife’s children by a former marriage; John Jolliffe, John Woodman, Elisha Hutchinson, Theodore Atkinson, and William Hudson, all of Boston; to each 1000 acres. This moiety of the Fluellen tract was designed by Maj. Phillips to be settled as a township by his children, but owing to the wars, it was not taken up until the following century, when the grantees were probably all deceased. It was incorporated under the name of Phillipstown; this name was afterwards (1768) changed to the present of Sandford. Phillips provided for his son Nathaniel, merchant, of Boston, by giving him a deed of a tract thus described: abutting southwesterly on Saco river, between the upland of Capt. Pendleton and the island of Christopher Hobbs, being an extent of  $1\frac{1}{4}$  miles, and running back 4 miles to the patent line, together with a neck of land, called Parker’s neck, situated at the mouth of the Pool.

Maj. Phillips married a lady whose first husband was John Sandford, who removed from Boston to Rhode Island 1637, and was afterwards secretary of that colony. Peleg Sanford, a son of Mrs. Phillips, was governor of Rhode Island 1680-1-2, three years. Elisha Hutchinson, her son in law, was an Assistant, and under

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\*Greenleaf, (Moses,) Statistical Views, &c. p. 394, confounds Major Phillips with Walter Phillips, who about the same period purchased lands from the natives east of the Kennebec.

the charter of 1692, a counsellor of Mass. Bay. The celebrated historian and governor of that Province was his grandson.\* J. Jolliffe and J. Woodman, also connected with this family, were men of some note in Massachusetts. Beside the Fluellen tract, Maj. Phillips purchased from another sagamore of Saco river, called Hobinowill, the lands lying above Salmon falls as far as Capt. Sunday's rocks; including the upper part of the present town of Hollis and a portion of Limington. The former town was incorporated nearly a century after the purchase as Phillipsburg. Sunday's rocks from their shining appearance were supposed to be impregnated with silver. Phillips obtained a deed of them from Capt. Sunday, an Indian, of Newichawannock, in 1664. They were described as 'Three hills of rocks,' and are supposed to be in Limington. They contain large portions of mica or isinglass, a substance of no value. We find Phillips selling out parts of this 'silver mine,' to several gentlemen of Boston: Capt. Thos. Clarke, Edw. Tyng, Edw. Downe, and others. He likewise conveyed a 1-16 part to his son Nathaniel.

Before the year 1670, Maj. Phillips sold several large tracts of land, lying partly within the patent. The first, having Swan-pond creek for its southern boundary, extended one mile on the river, and contained 1000 acres; to Richard Hutchinson. The second comprised 1500 acres, adjoining the former; to Edw. Tyng. The third, 2000 acres, bounded on the south by Tyng's, to Richard Russell, of Charlestown. The fourth, three square miles joining Russell's, to Maj. Gen. John Leverett. He also conveyed to his sons in law, Turner and Gyllum, 500 acres bounded on the south by West's brook.

Major Phillips describes himself in a deed executed June 1776, 'now of Boston, late of Saco.' He probably removed soon after the burning of his house and mills by the savages the year previous. He died in Boston 1683. By his last will, he bequeathed his lands and saw-mill at Saco in equal proportions to his wife, and sons Samuel and William, reserving  $\frac{1}{4}$ , which had been sold to

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\*Farmer's Genealogical Register.



W. Taylor for Mr. Harmon of Fayal, and a lot near the Falls, sold to Wm. Frost. One half of Bonython's island, and Cow island, were included in the bequest. Samuel sold his part of the estate to Capt. George Turfrey 1691. William, at the date of the will, had been detained four years "in captivity among the Spaniards"; his children inherited his share of the property at a subsequent period.

Brian Pendleton, another conspicuous inhabitant, came to New England with the early colonists of Mass. Bay, and settled at Watertown. He was admitted freeman 1634, and was sent a deputy to the General Court from Watertown in the years 1636-7-8-9, and 1647-8. He resided two years at Sudbury in the same vicinity, and was among the selectmen of that place.\* In 1646, he was a member of the company of Artillery now so justly styled the 'Ancient and Honorable,' and held the commission of captain at the same time. A few years after, about 1650, Capt. Pendleton removed to Portsmouth, N. H., from which town he went deputy to the Gen. Court several terms, the last in 1663. While resident at Portsmouth, he was engaged in commerce, and acquired a handsome estate. Rev. Seth Fletcher married Mary, his only daughter, before 1655. The selectmen of Portsmouth 1657, were Brian Pendleton, John Cutt, Richard Cutt, William Seavy, and Henry Sherburne; who were empowered by the town to build a new meeting house. The Rev. Joshua Moody, an eminent divine, settled there three years after, whose friendship Pendleton enjoyed. In 1661, the selectmen "granted liberty to Capt. Pendleton to set up his windmill upon the Fort point, towards the beach [Great Island], because the mill is of such common and public use."†

The earliest purchase of Pendleton at Winter Harbor was in 1658, when Mr. Jordan sold to him and Capt. Roger Spencer of Charlestown, the valuable tract of land below the mouth of the river now well known as Fletcher's Neck, containing about 200 acres, a part of the patent of

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\*Farmer, quoting Shattuck. MS. Hist. Concord, Mass. †Adams. Annals. Ports.

Mr. Vines. Execution was levied on this property under the jurisdiction of Lygonia, in satisfaction of a debt due from Mr. Vines to Mr. Jordan, as was subsequently deposited by J. Smith, the marshal. Two years after the purchase, Spencer conveyed his part to Pendleton, "together with all the houses, gardens, orchards, &c. upon the Neck;" the former then residing there. In 1665, Capt. Pendleton removed to this place, and took up his abode on the Neck, which was for many years called 'Pendleton's Neck.' We have already noticed the various civil and military appointments he received while an inhabitant of the Province. He was uniformly on the side of Mass. in the disputes with that Colony, to which he had early taken the oath of allegiance. They appointed him major, or commander, of the forces in the Province 1668; how long he sustained the commission does not appear; but in the war that followed a few years after, he seems not to have acted in that capacity. The following record, in the handwriting of Major Pendleton, furnishes the last notice of him contained in the town-book: "Aug. 14, 1676. A town meeting to choose a commissioner to carry a list of the estate of the town in reference to a rate ninefold. B. Pendleton is chosen commissioner if trouble do not prevent." This was three days only after the attack on Casco, in which a large number of the inhabitants were killed and taken prisoners. The next year he was at Portsmouth, as appears from an instrument executed in August. His only son, James Pendleton, was at that time among the principal inhabitants of that town, but soon after removed to Stonington, Conn., where his descendants are now found.

On the termination of the war, and the revival of the provincial government under President Danforth, Maj. Pendleton was again invested with authority in the Province, as we have already seen. He signed a petition to the King as deputy-president in 1680, (praying for aid in 'rebuilding the waste and desolate towns,')\* and died not long afterwards. His will was proved in April, 1681. He bequeathed his estate to his wife, son and grandchildren;

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\*Mass. Records.

his daughter probably died some years before. As early as 1671, he adopted her only child, Pendleton Fletcher, and granted to him the property at Winter harbor, described as follows : "All the Neck of land on which he (Brian Pendleton) now lives, extending as far as the Mill [Booth's] together with Wood and Gibbins' islands,  $19\frac{1}{2}$  acres of meadow land on the western side of Little river, with 100 acres of upland belonging to it, the meadow compassing about Scadlock's island, together with  $2\frac{3}{4}$  acres on the other side of the river, and his dwelling-house &c. on it, provided that if he (his grandson and now adopted son) die before of age, or after without heir, it go to his son James and his children ; reserving the whole to himself and wife while they live." He then appoints "his beloved friends, Joshua Moody and Richard Martine feoffees in trust for the estate, and guardians to the child during his minority, after his own death, if he die before the child come to age." The residue of his landed estates was disposed of by will in the following manner : To his wife his housing and land at Cape Porpoise ; to his son, 600 acres on Saco river, comprising 100 purchased from John West 1659, 300 purchased from Phillips 1673, and 200 received from the latter in exchange for Cow island ; to his grandchild, James jr. 110 acres at Cape Porpoise ; to his two grandchildren, Mary and Hannah Pendleton, his housing and land at Wells ; and, by a codicil, to his grandson Brian Pendleton a portion of his property at Portsmouth.

Pendleton Fletcher took possession of the estate bequeathed to him by his grandfather about 1680. In the subsequent war with the Indians, he was taken prisoner together with his two sons, and died in captivity. His widow, Mrs. Sarah Fletcher, administered on his estate 1700, two years after his capture. The Neck was at that time appraised at £300. Mrs. Fletcher married a second husband, of the name of Brown, and died 1726, at the age of sixty five. One of the sons, Pendleton, was rescued from the hands of the enemy, and became a leading townsman, as will hereafter appear. Mr. Fletcher left also two daughters who were married to Mathew Robinson of Winter Harbor, and Samuel Hatch of Wells.

The burial of "Mr. Wm. Fletcher, January 30, 1667-8," is recorded in the town book. It is not unlikely that he was the father of the minister. We deem it proper to add to the account of this family, that the few descendants now living, have a tradition that their ancestor who married the daughter of Maj. Pendleton, was a common laborer in his service, although they agree that his name was Seth. This circumstance shows the uncertain reliance to be placed on oral traditions; for the evidence of records very clearly proves the truth of what we have stated on this subject.

Benjamin Blackman, an extensive proprietor on the eastern side of the river, next requires our notice. He was a son of Rev. Adam Blackman, who came to New England 1639, and united in the settlement of Stratford, Conn. This gentleman had been a clergyman of some note in England, but seceding from the established church, fled to this country, in the words of Cotton Mather, "from the storm that began to look black upon him." He died at Stratford 1669.\* Benjamin graduated at Harvard College 1663. He studied divinity, and after passing a few years at Stratford, preached some time at Malden, Mass. which place he left 1678.† He married Rebecca, daughter of Joshua Scottow, Esq. of Boston, 1 April, 1675. Mr. Scottow purchased Cammock's patent at Black-point from H. Jocelyn, Esq. 1666, and six years before, the farm of Abraham Jocelyn, who lived many years on the hill in Scarboro' now called Scottoway. In 1680, Mr. Blackman received from his father in law a deed of a tract of land near the ferry place at Black-point, to which he removed. The next year, a committee was chosen by the town of Scarboro' to agree with him to be their minister for the year ensuing, and in 1682, he was invited to settle in that capacity. There is no doubt therefore that he preached there, though he declined a settlement.‡

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\*MS. Letter from D. Brooks, Esq. of Stratford. †Farmer's Geneal. Register.

‡Scarboro' Records. In 1684 Mr. Burrridge of that town was appointed "to go and see for a minister." Mr. Greenleaf, Eccl. Sketches, p. 44. mistakes the record, and makes that worthy townsman a minister of Scarboro'.

In 1683, Mr. Blackman was an inhabitant of Saco, and chosen to represent the town in the General Assembly of the Province under the administration of Danforth. His first purchase in this town was 1680, and although but 100 acres in extent, embraced all the mill privileges on the eastern side of the river. He erected a sawmill at that time, as he petitioned the Gen. Assembly Aug. 1681, for 'liberty to cut timber upon the commons for accommodation of his saw-mill, lying on the east side of Saco river'. The Pepperell mill now stands on the same privilege, east of the island, where the falls are still known to the old inhabitants by the name of Blackman's falls. Three years after he purchased a tract on the river containing about six hundred and forty acres from J. Bonython. The next year he made a second purchase from Gibbins, including the 100 acres; extending  $3\frac{1}{2}$  miles above the falls. In Bonython's deed, Blackman is described to be the 'agent of some men of Andover,' and Gibbins sets forth that "there has been a motion of several men at the westward to remove themselves to Saco river, and settle upon the eastern side": but although the purchases were completed, it does not appear that the intended movement was made. The renewal of the troubles with the Indians doubtless prevented. Mr. Blackman seems then to have returned to Boston or its vicinity. The last notice of him in our records is as one of a committee to wait on the Rev. Mr. Milburne, to solicit his continuance another year, in 1686.

His father in law, Mr. Scottow, resided on his estate at Black-point during the same period. A proposal made by him to the town of Scarborough in 1681, deserves to be noticed. He offered them 100 acres of land 'upon the plains,' on which they were to build a fortification and settle in a compact form; allowing two acres for each family, and liberty to cut wood from another 100 acres. The houses were to be set in a range, and not to approach nearer than eight rods to the fortification; the houselots not to exceed  $\frac{1}{2}$  an acre, and the rest of the land to be laid out in four common fields and pastures. The condition of the grant was an annual rent of 12d. to Mr. Scottow "as being their demesne lord." The inhabitants at their

meeting in March, 1682, voted unanimously to accept this proposal, and to go forthwith about building the fortification. In 1685, a townmeeting is recorded to have been holden 'at the fortification on the plains'; but the next year, the agreement with Scottow was rendered null and void by a vote of the town.\* Mr. Scottow had a son Thomas, who was chosen commissioner 1688. He commanded the fortification the following year. The father died 1698 at Boston; his executors were his sons in law, Maj. Thomas Savage and Capt. Samuel Checkly.† The whole property at Black-point, including Cammock's patent, and the farm of Abraham Jocelyn, containing 200 acres, was sold by Checkly to Timothy Prout, Esq. in 1728.

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## CHAPTER XIV.

The limits of the town are supposed to have been originally of equal extent with those of the patents; but as the bounds of the latter were not accurately determined until after the town lines were established by the Mass. authorities, a considerable portion of both grants, especially that of Lewis and Bonython, lies in the adjoining towns. The following return is the earliest we find relating to this subject: "We whose names are here underwritten, being appointed by the General Court of Massachusetts, are empowered to lay out the dividing bounds between the towns Cape Porpus, Saco, Scarborough, and Falmouth, and upon due consideration thereof do determine as followeth. That the dividing bounds between Cape Porpus and Saco shall be the river called Little river, next unto William Scadlock's now dwellinghouse unto the first falls of said river; from thence upon a due northwest line into the country until eight miles be expired. The

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\*Scarboro' Records. †2 Mass. Hist. Coll. iv. 100. The name was sometimes written Scottoway. *Church's Wars*, 103. 2d edition.

dividing bounds between Saco and Scarborough shall be that river commonly called the Little river next unto Scarborough, and from the mouth of said river shall run upon a due northwest line into the country unto the extent of eight miles. (Signed.) Nicholas Shapleigh, Edward Rishworth, Abraham Preble. Octo. 18, 1659." These boundaries have been adhered to from that period to the present.

The mouth of Little river next to Scarboro' having shifted its position from time to time, the bounds on that side have accordingly fluctuated; and it is now quite uncertain where the line as originally run, met the sea. There is some reason to suppose that this small stream, or creek, formerly discharged at least one hundred rods eastward of the present line. Had the extent of the eastern patent been known, it is probable the commissioners would have made that of the town to correspond. The patent line was run 1681; it is now from 200 to 220 rods distant from the town line. More than 3000 acres of the township granted to Mr. Lewis and Capt. Bonython, thus lie in Scarborough; all of which manifestly belongs to Saco. Great inconvenience arises to the inhabitants of both towns who own lands within the patent, on its eastern side, as they almost invariably fall in part within the limits of the two towns; the line of the patent having been necessarily adopted as the boundary of these estates.

Some of the heirs of Lewis and Bonython petitioned the Gen. Court for a division of the patent in 1674. A committee was then appointed to inquire into their claims, who reported as follows: "1. We find a patent appertaining unto Richard Foxwell and Richard Cummings. 2. From thence we find that they challenge a patent right four miles by sea side eight into the country, whereof they claim 1-4 by deed made them by Capt. R. Bonython, whose daughters they married, in consideration of their fortunes of 100 marks each, which by him, the father, was received of theirs when they were in England. That Capt. Richard Bonython did settle upon the north side of Sacadehock, Saco river, as did Thomas Lewis, who had possession given them by Edward Hilton, who

by order was commissioned thereunto. We do not find any orderly bounding or laying out of said patent." The committee consisted of Rich. Waldron of Dover, Speaker of the House; J. Wincoll, and E. Rishworth.\* A division was afterwards ordered, and made with the consent of the parties, of which the following is a copy.

"We, John Wincoll, John Penwill, and Abraham Preble, being chosen by mutual consent of James Gibbins, John Bonython, Philip Foxwell, and John Harmon, heirs and proprietors of that patent land granted to Lewis and Bonython, as by their agreement obligatory bearing date Nov. 12, 1680, may appear, for equally dividing said land between them, we accordingly on Sept. 19, 1681, came and measured the lower part next Saco river 142 poles north west from the foot line unto a certain small water run, called Haley's Gut, being the ancient bound marked between the aforesaid Bonython or his father, and the said Gibbins, and from said Haley's Gut upon a north east by north line unto the middle line of said patent, together with that triangular piece of land lying next Saco river and below the north east and south west line of the patent, which contains 400 acres of land next the sea, all which is to belong to said Gibbins for his first division.

2. From Haley's Gut we measured 592 poles north west unto a little brook a little below Mr. Blackman's mill, and thence north east by north to the middle line aforesaid, which is two miles, and it belongs to John Bonython for his first division.

3. We measured two miles and 50 poles north west from Thomas Rogers' garden by the sea in the middle line aforesaid, and from the end of that said two miles and fifty poles, two miles north east to the line of the patent next Blue-point, the aforesaid 50 poles above the two miles north west in lieu of the half of the aforesaid triangle of land next Saco river mouth, which is to belong to Philip Foxwell and John Harmon for their first division.

4. We measured from the north west end of the aforesaid two miles and 50 poles, two miles wanting 50 poles

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\*Mass. Records.



north west in the aforesaid middle line unto a maple tree, and from thence two miles north east to the outside line of the patent, to James Gibbins for his second division.

5. The next division is to run from the aforesaid little brook below Mr. Blackman's mill in Saco river  $3\frac{1}{2}$  miles and 18 poles north west, and from thence two miles north east to the middle line of the patent, to belong to Gibbins for his third division.

6. From the north west end of the aforesaid  $3\frac{1}{2}$  miles and 18 poles, J. Bonython is to run two miles 48 poles next Saco river to the north west end of the patent, and thence two miles north east along the head line of the patent to the middle line, for his second division.

7. The next division on the north east side of said patent is to begin at the north west end of the aforesaid four miles in length already measured, and to be two miles square—for Foxwell and Harmon's second division.

8. The last division of the north east side of the patent is to begin at the north west end of the first two miles square, and to be also two miles square to the head of said patent, and to belong to Gibbins for his fourth division. Acknowledged by the Proprietors, Sept. 23, 1681.\*

It hence appears that one half of the patent was set off to Gibbins, as the heir of Mr. Lewis; the other moiety to the heirs of Capt. Bonython, viz. his son, who had a double portion, and the heirs of his two daughters.

The purchases of Mr. Blackman were made not long after the division. Mr. Gibbins's deed runs as follows: "Whereas there have been some motions by several of the men at the westward to remove themselves to Saco river and settle upon the eastern side, and in order thereunto have by Benj. Blackman been encouraged by disbursing moneys in part payment of a purchase of land of James Gibbins, now therefore I, James Gibbins, of Saco, in the Province of Maine, yeoman, with assent and consent of my wife Judith, for and in consideration of a valuable sum to me in hand paid &c. have given &c. unto Benj. Blackman, clerk, in the same town resident, a tract of land lying and being upon the said river of Saco,

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\*See the Plan of this Division.

beginning at a small run on the north of Mr. Bonython's old plantation, extending itself up the said river three miles and an half and eighteen poles, and back from the river two miles, being the whole second division of the Patent land laid out to me, the said James," &c. Dated 12 Dec. 1683. Signed, sealed, and delivered, in presence of Hubertus Mattoon\* and John Sharpe. It was afterwards acknowledged before Joshua Scottow, Justice of the Peace.

Bonython's deed of the same date commences—"To all Christian People, Greeting; Whereas there have been some transactions between Messrs. J. Bonython of Saco, and B. Blackman resident in the said town, in behalf of some men of Andover, in order to their removal; and being willing to encourage them, I did promise to their agent abovesaid a tract of land, now therefore know all men," &c. He then conveys a tract thus described; "One tract of land lying and being upon the east side of Saco river, bounded by a small brook northward, which parts my patent division from the division of J. Gibbins, westward with said river, southward with a small brook to the northward of Nichols† his house." Witnessed by John Hill, (son of Roger,) William Martine.

Mr. Blackman thus became the proprietor of about one fourth part of the Patent, including the present site of the village (Saco,) and all the mill privileges on the eastern side of the river. Three years after he conveyed a portion of it to S. Sheafe, by a deed which runs as follows: "Know all men by these presents that I, B. Blackman of Stratford, now resident in Saco in the Province of Maine, &c. have granted &c. unto Mr. Sampson Sheafe of Boston, merchant, one third part of a tract of land by me bought of J. Gibbins and J. Bonython, &c. being six thousand acres more or less, being bounded southeasterly with a brook commonly called Nichols' brook, northeastwardly with two miles from the great river, and northwestwardly with the extent of three miles and an half and eighteen poles *above the sawmill Falls*, and

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\*This person was made freeman at Kittery 1652; he had probably removed to Saco. †Brother in law to J. Bonython. See above, p. 116.

southwestwardly by the great river, as also the herbage, commonage for timber, and all other things growing upon 4000 acres of land or thereabouts, lying upon *the north-east side of the land above said*, as also one third part of a sawmill standing upon Saco river falls, built by said Blackman upon the proper account of Mr. S. Sheafe aforesaid, merchant," &c. Dated 9 March, 1685-6 ; witnessed by Mathew Middleton.

About the same time, Blackman sold out another one third part to Samuel Walker of Boston, mariner, who together with Sheafe had a share in the mills erected by Blackman.\*

Mr. Sheafe soon after relinquished his purchase to Mr. Walker, who thus became possessed of two thirds of the original tract. Sheafe's deed to Walker, dated 26 March, 1687, recites the boundaries of the two tracts as described in the deeds from Gibbins and Bonython ; he also conveys to Walker "one third part of a sawmill and one third part of a gristmill standing upon Saco river falls, built by me the said Sampson Sheafe, Samuel Walker, and Benj. Blackman in equal thirds, &c. together with one third part of twelve oxen formerly purchased in thirds and belonging to the premises," &c. Acknowledged before William Stoughton, one of his Majesty's Council, at Boston.

The first planters being seated near the seaboard, the readiest mode of communication with the different settlements was by water. For many years there was no road except along the shore, and in 1653, the Mass. commissioners alleged this deficiency as a reason for not travelling from Wells to Saco, to receive the submission of the inhabitants. It was ordered by them "that the inhabitants of Wells, Saco and Cape Porpoise, shall make sufficient highways within their towns from house to house, and clear and fit for foot and cart, before the next county

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\*Samuel Walker attested the deed mentioned above, p. 158, of Anne Alger to her cousins John and Abraham Roberts, dated at Marblehead 1676 ; and afterwards married her. As Anne Walker, she asserted a title to one half of the Augur right in Scarboro'. It is highly probable, that the second husband of Anne was the associate of Blackman and Sheafe.

court under the penalty of ten pounds for every town's defect in this particular, and that they lay out a sufficient highway for horse and foot between towns and towns within that time." In 1658 the court, having adjourned from York to the house of Mr. Jordan at Spurwink, passed an order respecting the highway between Saco and Little [C. Porpoise] rivers. An effort was made in 1673, to render the roads more direct; the towns were ordered "to mark out forthwith the most convenient way from Wells to Sayward's mills [C. Porpoise,] from thence to Saco Falls, from Saco Falls to Scarborough above Dunston [landing,] and from Scarborough unto Falmouth, every town marking out their own part within their own extent." Under this order, Page and Gibbins were appointed by the townsmen 'to lay out the upper way to Dunston', and Maj. Phillips 'to mark out the way to Henry Sayward's mills.'

Travellers crossed Saco river near its mouth, where a ferry was regularly kept, distinguished in later times as the lower ferry, when another was established near the Falls. The first ferryman was Henry Waddock, who was licensed in 1654, and probably earlier also, 'to keep an ordinary, to entertain strangers for their money,' and allowed 'to receive 2*d.* from every one he set over the river.' The last renewal of his license was 1672, the year before his death. Mr. Booth was also permitted to keep an ordinary, on the other side of the river. Thomas Haley, on the same side, succeeded Waddock as ferryman. He was ordered by the court of 1673, "for the more secure transportation of travellers, for men and horses, to provide a good sufficient boat fit for carrying persons and their horses, large enough to carry over three horses at one time." Humphry Scamman, who purchased Waddock's estate a few years after his decease, took charge of the ferry and entertained travellers. Complaints were still brought against the town for the want of good roads. In 1687 we find the following order of the court: "Whereas the townsmen of Saco being summoned to answer for their not keeping a sufficient highway from Scamman's ferry to the town of Cape Porpoise, Roger Hill appearing in behalf of said town, it was ordered

that the old foot-path on the western side of Saco river be the King's highway, to be laid out and fenced at the charge of the town." It would seem that the new road, above the old one, marked out twelve or fifteen years before, was out of repair, and that the inhabitants chose to return to the latter. This road was chiefly on the seashore, taking advantage of the beach and of level ground, free from trees and other obstructions. There was a ferry at that time near the mouth of Scarboro' river. The intervening streams of Goose-fair and Little river were easily forded; hence the term *wading places*, applied to the parts usually crossed.

Carriages were of course unknown in those days; few of the inhabitants even owned horses, if we may judge from the following record: "July the 28, 1674. At a meeting of the selectmen as followeth: 1. Maj. Pendletons black horse is allowed on. 2. Lieut. James Gibbins is horse is allowed on. 3. John Waddocks horse is allowed on. 4. Richard Cummins horse is allowed on. 5. John Harmons horse is allowed on." To this number an addition was soon after made: "Aug. 17, 1674 Humphry Case hath boate a mare and coult of James Were this seventene day of August, 74. H. Case, town clarck."

In 1675, a number of the inhabitants petitioned the General Court for the grant of a township above the patents; a tract six miles square was accordingly granted to the petitioners: Maj. Pendleton, John Leighton, Richard Cumming, John Carter, and others. They without doubt intended to form a new settlement, which the war prevented.

From 1676 to 1680, the records of the town were probably not continued. They re-commence June 12, 1680, as follows: "At a town meeting &c. John Abbot is accepted into the town and to enjoy town privileges. Humphry Scamman is accepted into this town, and to enjoy all town liberties. J. Abbot is chosen clark of the town and to keep the town book." The next year, Abbot, Scamman, and Richard Peard were chosen 'for townsmen'; John Leighton surveyor; Pendleton Fletcher constable;

John Bonython 'surveyor for the north side of the river' ; J. Abbot town clerk.

"Dec. 8, 1681. The townsmen made choice of Mister Blackman, John Harmon, and J. Abbot, to lay out land in our town." The following grants were made at that time : "Granted to George Page to have ten acres of upland on the western side of the river. Granted to Thomas Haley as much land as to make his house lot fifty acres. Granted to Phineas Hull to have sixty acres of upland on the eastern side of the Little river falls *where now his mill stands*. [Phineas Hull lived at Kittery 1671 ; probably a son of Rev. Joseph Hull, sometime a minister at Weymouth, Mass. and afterwards at the Isle of Shoals.] Granted to J. Abbot to have forty acres of upland adjoining to his lot of land that he bought of Arthur Wormstall on the south west side of his wood lot, with that scrap of marsh from wind mill hill to John Ruels ditch on the pines. Granted to Roger Hill twenty acres of land at the head of [that] lot. Granted to H. Scamman ten acres of land. William Daget is granted ten acres of land at the head of his father Wormstall's lot. Granted to Mister Blackman to have 100 acres of upland where he can find it out of any man's lot in the commons that is not yet disposed of in the town. Granted to Moses Bennet ten acres of upland where he can find it in our township not to intrude upon any man's land."

"At a legal townmeeting held at Winter Harbor on the 19th day of June, in the year 1683, the feeeholders of the aforesaid town chose Mr. Benjamin Blackman Deputy for the year." "At a town meeting legally held by the freeholders of our town on the 10 of May, being Saturday, 1684, chosen, W. Daget constable for this year, chosen H. Scamman for the jury of trials, and J. Sargent, P. Hull, Francis Backus, J. Bowden, and P. Fletcher, Townsmen for this year. Mr. B. Blackman chosen commissioner to attend his Majesty's occasions at Falmouth, chosen at a legal meeting held at Saco." The selectmen 1685, were Lieut. John Davis, R. Hill, P. Fletcher, J. Bonython, J. Sharpe. The next year William Dyer was chosen constable ; Geo. Page, Juryman ; B. Black-

man, R. Hill, F. Backus, J. Edgecomb, P. Fletcher, Selectmen.

The following list of the rates paid by the inhabitants is without date, but appears to have been taken about 1670. It is probably not entire. Pendleton 1*l.* 4*s.* 4*d.*; Bonython 1*l.* 3*s.* 10*d.*; J. Davis 2*s.* 4*d.*; William Luscom 3*s.* 6*d.*; Arthur Hewes 2*s.*; J. Smith 6*s.* 4*d.*; C. Hobbs 4*s.*; Michael Naziter 2*s.*; J. Gibbins 1*l.* 3*s.* 4*d.*; N. Buly 5*s.* 1*d.*; N. Buly jr. 2*s.* 4*d.*; John Carter 2*s.* 6*d.*; Edgecomb 8*s.* 2*d.*; Waddock 15*s.*; R. Hill 12*s.*; Bouden 4*s.*; Robert Temple 6*s.*; John Anderson 2*s.*; W. Mare 6*s.*; John Sargent 1*l.*; Hitchcock 14*s.*; Wormstall 13*s.*; Helson 3*s.*; Williams 12*s.*; Trustrum 14*s.*; Edward Sargent 3*s.* 6*d.*; Penuel 5*s.* 4*d.*; Leighton 2*s.*; Cumming 1*l.* 3*s.* 6*d.*; T. Rogers 14*s.*; Harmon 16*s.*; Haley 3*s.*

It is impossible to collect, at this late period, the names of all the early inhabitants of the town. Those we have found previous to 1690, not already noticed, will now be given, with the year in which they first occur, and a brief account of the families, where it can be furnished.

Thomas Mills, fisherman, received a grant of land from Vines 1642. He was on a jury of inquest 1661.

John Leighton was fined by the court of 1645. His son, John jr. married Martha, a daughter of Rob. Booth, 1663. Their son James was born 1675. A branch of this family early settled in the part of Kittery now Eliot, near the meetinghouse, where the descendants are living on the old estate. A John Leighton died there 1724, whose grandson, William, married a daughter of Rev. John Rogers, minister of that parish, 1747.

Peter Hill, a planter, was a member of the Assembly of Lygonia 1648; he had probably settled here several years earlier, with his son Roger, who was among the freemen in 1653. It does not appear that he had other children, as the numerous families of the name now living in our towns, with one or two exceptions, derive their descent from Roger. He died in August, 1667. Roger Hill married Mary Cross, probably of Wells, 1658; their children, born 1661-79, were Sara, Hannah, John, Samuel, Joseph, Mercy, Benjamin, and Ebenezer. The

daughters and one son, Joseph, settled in Wells; Sara was married to — Rest (or Russ); Hannah and Mercy to Lieut. Joseph Storer, and David Littlefield. Mr. Storer was an active officer in the second war with the Indians. Joseph Hill, Esq. married Hannah Bowles of Wells, 1689. He was a gentleman of some note in the early part of the succeeding century, and lived to an advanced age. Of the other sons, excepting Ebenezer, we have little information; some of them probably died young. Ebenezer, well known to tradition as Deacon Hill, was a conspicuous inhabitant of the town for many years, as it will hereafter appear. Roger was still active in town affairs at the date of the latest records, 1686; we have not learned the time of his decease.

Christopher Hobbs was admitted freeman 1653; had a son of the same name, and a daughter, Jane, married to Michael Nostras. In 1718 John Hobbs of Boston, 'grandson of C. Hobbs, sometime of Saco,' claimed a house and land, which Maj. Phillips sold to his ancestor. C. Hobbs, senior, was living 1672.

Nicholas Buly or Baly, freeman 1653, died 1664. His children were Nicholas, who married Ellen Booth 1652; Anne, wife of Ambrose Berry; Grace, wife of John Bouden; Ellen, wife of John Henderson; Elizabeth, wife of Thomas Doughty; Abigail, wife of Peter Henderson; and Tamozin, who died unmarried. Jonas Baly of Black-point, who came over in the service of Mr. Trelawney, left a small legacy to his brother Nicholas, by a will dated 1663.

Ralph Tristram, freeman 1655, may have settled here several years previous. He was long a useful and worthy townsman, and died 1678. His children, born 1644-64, were Samuel, Nathaniel, Benjamin, Ruhamah, Rachel, Ruth, Freegrace, Hannah and David. The names of several of the sons occasionally occur in the old records, but neither of them, so far as we have learned, has descendants now living. Hannah married Dominicus, a son of Rev. Robert Jordan, about 1680, who settled on the estate at Spurwink, then a part of Falmouth. Their children were Dominicus, Samuel, Elizabeth, Hannah and Mary Ann. Sometime in the second Indian war, the



garrison house of Mr. Jordan was violently assaulted by a large number of the enemy, when he made a brave and successful resistance. The Indians called to him, saying that 'they were ten hundred in number'; to which he replied that *'he cared not if they were ten thousand.'* A few years after several Indians came to Mr. Jordan's house, and were received with the familiarity common in time of peace, one of whom watching a favorable opportunity, struck a hatchet into his head, exclaiming as he inflicted the fatal blow—*'There Dominicus! now kill ten thousand Indian.'* The family were all made prisoners, and carried to Canada. They were afterwards restored, excepting Mary Ann, (named by her French protectors Arabella,) who married a French gentleman at Trois Rivières, on the St. Lawrence, where she was living 1761; she was probably of a very tender age when this calamity befel the family. The other daughters were subsequently married; Hannah to Joseph Calef of Boston, and Elizabeth to Capt. Humphry Scamman of this town. The sons became men of considerable note. Dominicus lived on the old estate at Spurwink, and was the representative of Falmouth in the Gen. Court several years. He died 1749, sixty six years of age. Samuel, the other son of Dominicus Jordan and Hannah Tristram, settled in this town about 1717; and from him are descended the numerous families of Jordans now living in Saco and Biddeford.

Philip Hinkson 1653; died a few years after. His widow married George Taylor of Black-point.

Walter Pennell 1653; married a daughter of Robert Booth. Their children, born 1649-69, were Walter, the oldest, who was living in York 1719, at the age of seventy years; Mary, the wife of Giles Hibbins; Deborah, Sara, and Susanna.

John Davis received a grant for a sawmill 1653; he was probably a smith, as his forge is mentioned. His house was near the Falls, and is referred to in a division of the island 1667. Davis's brook took its name from him. He was probably the 'disaccepted' deputy 1682.

John Halicom 1653; the next year administration was granted on his estate.

Roger Hunnuel died 1653-4. He lived on Parker's neck near the entrance to the Pool. Richard Huniwell of Black-point 1681, was perhaps his son. Administration on his estate was granted 1654; and at the same time on the estates of Paul Mitchel and John Rowland, who appear to have been inhabitants of this town.

Edward Andrews, freeman 1653, may have been a son of Samuel Andrews, one of the first colonists. Edward died 1668. Thomas Reding, freeman 1653, does not appear after that date.

Roger Spencer of Charlestown, to whom the freemen granted a privilege for a sawmill 1653, seems not to have become a resident in town until five years after that date, when he joined with Maj. Pendleton in the purchase of the Neck. The conditions of his grant required him to erect a mill before the expiration of one year, with which he probably complied; and there is every reason to suppose that his mill was the first one built on Saco river. In 1658, Capt. Spencer (as he is styled in the town-book) removed with his family to the Neck, where improvements had been previously made. The same year he mortgaged one half of his mill to Rob. Jordan, and the next year  $\frac{1}{4}$  to Thomas Spencer of Boston; the latter eventually became the property of Maj. Phillips.

In 1669, Capt. Spencer, then living in Boston, conveyed the remaining  $\frac{1}{4}$  of his mill to Capt. Thomas Savage of Boston. The marriage of Lydia Spencer, unquestionably a daughter of Roger, to Freegrace Norton about 1660, is recorded in the townbook. Mr. Norton was on a jury of inquest the following year, and, it is conjectured, afterwards resided in Ipswich, where a person of the same name dwelt a few years later. Another daughter of Capt. Spencer married, first, John Hull, a young merchant of Boston, and, after his decease, William Phips, the first governor of Mass. Bay under the charter of 1692. Sir William was born in humble circumstances, in the part of ancient Pemaquid now Alna, 1650; when eighteen years of age he apprenticed himself to a shipcarpenter, and four years after went to Boston, "where," says Dr. Mather, his biographer, "he followed his trade about a year, and by a laudable deport-

ment so recommended himself, that he married a young gentlewoman of good repute, who was the widow of one Mr. John Hull, a well-bred merchant, but the daughter of one Capt. Roger Spencer, a person of good fashion, who having suffered much damage in his estate by some unkind and unjust actions, which he bore with such patience that, for fear of injuring the public, he would not seek satisfaction, posterity might afterward see the reward of his patience in what providence hath now done for one of his own posterity." A third daughter of Capt. Spencer married Dr. David Bennet of Rowley; whose son, Spencer Bennet, was adopted by his uncle Sir William, and took the name of Phips. He was Lieut. Governor of Massachusetts from 1732 until his decease in 1757.

James Harman makes an acknowledgement of having slandered John Snelling 1655. Harman married Sarah Clarke 1659. Their children were named Jane and Barberry. We find no other notice of Snelling. The marriages of William Kirkeet, sometimes written Curkeet, and William Batting are recorded the same year. The former died 1662; his personal property was appraised at £134 13s. He owned seventeen head of cattle, young and old, which were appraised at £60. The birth of John (1642,) son of Morgan Lacy, was recorded about this time.

John Sparke's lot is mentioned 1656. A small part only of the records of grants seems to have been preserved; Sparke and many others, whose names are not found until a much later date, without doubt received grants of lands 1653. He was buried Octo. 24, 1669.

The house of Walter Mayer, Mare, or Mar, (as the name is variously written,) is spoken of in a town grant of 1656. The births of his children, from 1654 to '74, are carefully registered. Their names were Judith, Mary, Walter, Sara, Rebecca, Ruth, Elizabeth, Benjamin, and Love. Walter was one of the selectmen 1683.

John Bouden married Grace Buly 1656. Their children were Hannah, Lucy, John and Nicholas: the last born 1673. John Bouden was one of the selectmen 1684. Ambrose Bowden, senior, lived at Black-point

1658, and his son Ambrose 1681. John was perhaps another son of Ambrose.

Alexander Smith and William Luscom received grants of land from the town 1653. Sydrack, a son of the latter, was drowned 1660.

John Helson married Joane Waddock 1658. Ephraim Helson was born 1667. John Helson or Elson was living at Black-point 1681. The former year (1658) John Cole married Mary Chilson. John died 1661. Elyfall (Eliphel) Cole was buried at the same date, perhaps a daughter of John. The names of Mordecai Crauitt, John Hallsome (perhaps Helson) and Jeremiah Humphries, already mentioned as on a jury of inquest this year, do not afterwards occur.

John Sargent was a fisherman at Winter Harbor 1660. His children were Edward, born 1661; Benjamin 1673; Patience 1675. John and his son Edward were required to answer a complaint for selling liquor to the Indians 1686; forfeiting their recognizances, they were compelled to pay 20*l.* each. Edward Sargent of Newbury sold a piece of land at Winter Harbor to E. Hill 1727.

Capt. John Alden of Boston, married Elizabeth, daughter of Maj. Phillips, and, if not an inhabitant of the town, was part owner of a sawmill, which he built, as already stated, and passed much time here during the residence of his father in law. It is not improbable that his family was also here. He was on a jury of inquest whose verdict is recorded in the town book, September, 1660. The Fluellen deed was attested by him and Harlakenden Symonds, (son of the deputy-governor,) 1661, to which a note is appended stating the intended extent of the purchase, and referring to the deed of another Sagamore, "*written by me, John Alden.*" Capt. Alden was the son of John Alden of Plymouth, who came over with the band of pilgrims, when but twenty-two years of age, and, it is said, was the first person that leaped upon the shore. His mother was Priscilla, a daughter of Mr. William Mullins, another pilgrim. The following pleasant story respecting the parents of Capt. Alden, is related by a descendant in a late publication.

"It is well known, that, of the first company consisting

of one hundred and one, about one half died in six months after landing, in consequence of the hardships they were called to encounter. Mrs. Rose Standish, consort of captain Standish, departed this life on the 29 of January, 1621. This circumstance is mentioned as an introduction to the following anecdote, which has been carefully handed down by tradition. In a very short time after the decease of Mrs. Standish, the captain was led to think, that if he could obtain Miss Priscilla Mullins, a daughter of Mr. William Mullins, the breach in his family would be happily repaired. He, therefore, according to the custom of those times, sent to ask Mr. Mullins' permission to visit his daughter. John Alden, the messenger, went and faithfully communicated the wishes of the captain. The old gentleman did not object, as he might have done, on account of the recency of captain Standish's bereavement. He said it was perfectly agreeable to him, but the young lady must also be consulted. The damsel was then called into the room, and John Alden, who is said to have been a man of most excellent form with a fair and ruddy complexion, arose, and, in a very courteous and prepossessing manner, delivered his errand. Miss Mullins listened with respectful attention, and at last, after a considerable pause, fixing her eyes upon him, with an open and pleasant countenance, said, *prithce, John, why do you not speak for yourself?* He blushed, and bowed, and took his leave, but with a look which indicated more than his diffidence would permit him otherwise to express. However, he soon renewed his visit, and it was not long before their nuptials were celebrated in ample form. From them are descended all of the name, Alden, in the United States. What report he made to his constituent, after the first interview, tradition does not unfold; but it is said, how true the writer knows not, that the captain never forgave him to the day of his death."\*

Capt. Alden had the misfortune to suffer the imputation of *witchcraft* from one of the victims of that delusion

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\*Rev. T. Alden, (president of Alleghany Coll.) Collect. Am. Epitaphs. iii. 265. The marriage of the worthy pilgrim's oldest son with a daughter of Maj. Phillips, seems to have escaped the inquiries of Dr. Alden and other Plymouth antiquaries.

in Boston, 1692, when persons of the most irreproachable character were not safe from the consequences of an accusation, which, it is well known, in many instances proved fatal.\* His case is thus described by Hutchinson :

"Capt. John Alden, of Boston, was accused, who was thereupon sent down to Salem. He had been many years commander of a sloop in the colony service, employed for supplying the forts east with provisions and stores ; and although, upon his first appearing, the justices allowed that he always had the character of an honest man, yet one of them, Gidney, soon after, let him know he then saw reason to think otherwise of him. Alden, in his account, says, that the accuser first pointed to another man and said nothing, but that the man who held her stooped down to her ear, and then she cried out, Alden, Alden. All were ordered into the streets, and a ring made, and then she cried out, *There stands Alden, a bold fellow, with his hat on, sells powder and shot to the Indians, &c.* He was immediately taken into custody of the marshal and required to deliver up his sword. A further examination was had in the meeting-house, and his hands were held open by the officer, that he might not pinch the afflicted, who were struck down at the sight of him, and made their usual cries ; all of which the justices deemed sufficient grounds for committing him to gaol, where he lay fifteen weeks, and then he was prevailed on by his friends to make his escape, and to absent himself until the consternation should abate, and the people recover the use of their reason."

Capt. Alden died at Boston 1702 ; his children were—John, William, Nathaniel, Zechariah, Anna, and Elizabeth. Zechariah graduated at Harvard Coll. 1692.

Richard Randall, son of Richard, was born 1659 ; and Sara, daughter of Richard, 1661. Arthur Wormstall, freeman at Wells 1653, was living in Saco 1660. His

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\*The name of Rev. George Burroughs who was executed at Salem Aug. 19, 1692, will occur to the minds of our readers. "He met his untimely end," says Rev. Mr. Felt, "with christian fortitude. Though his accusers charged him with deeds of murder, as was common for them to do in reference to others, yet he appears to have been a worthy man." *Annals of Salem*. 307.

children were Susan, born 1658 ; Arthur 1661 ; John 1669. Arthur was one of the selectmen 1680. Mr. John Gray and Robert Field (probably a son in law of Maj. Phillips,) were on a jury of inquest 1660. John Wakefield attested the deed of Walter Hegone to Phillips 1660. He died 1673 ; leaving four sons, John, James, Henry, and William, and three daughters, one the wife of William Frost. The latter, to whom Maj. Phillips sold a piece of land near the falls, had two sons at the time of Wakefield's death, William and Nathaniel. Christopher Collins of Saco, purchased N. Edgecomb's house and land at Blue-point 1660. The name Collins occurs in the town book 1672.

The next year (1661) we find on a jury of inquest Mr. William Tharall ; Gregory Jeffery, who was admitted freeman at Cape Porpoise 1653 ; Richard More, freeman at Wells 1653 ; John Rice, whose house was hired for Rev. S. Fletcher by the town ; — Burnitt, and — Ward. Edward Clark, freeman at Wells 1653, was buried this year. Walsingham Chilson received a grant of town land. William Chilson was married to Grace Briar, (perhaps Briant,) several years later. Mercy Chelson was buried Aug. 1674.

David Hambleton married Anna Jackson 1662. Arthur Hewes married Dunie Stevens 1663. Thomas Sanders married Hope Reynolds 1664 ; probably a daughter of William Reynolds, at Cape Porpoise 1653. Arthur Batting married Abigail Spurwell 1664 ; Christopher Spurwell was made freeman at Cape Porpoise 1653. John Henderson was born 1664. Peter Henderson received a grant of land 1671, next to John, sen. running from 'the spring southwest into the woods.' John Dunmark, son of Patrick, and — Carter, son of John, were born 1667. Michael and John, sons of Michael Naziter, were born 1664-6. Richard Peard married Jane Naziter 1669. Peter, son of John Anderson, was born 1667. Elizabeth, daughter of Thomas Doughty, was born 1670. Margery and Margaret, daughters of Humphry Case, were born 1671-3. William Warren received a grant of land 1671, next to Peter Henderson. Thomas Powell was a referee in a controversy between

Sargent and Hitchcock 1670. Giles Hibbins married Mary Pennel 1670. He received liberty from the town to plant a piece of land "at the neck of land commonly called the Middle rock," until further order, 1673; and the next year was granted "all the neck of land joining unto the Little river and unto the marsh," the same lot doubtless. William Seely died 1672. His children were Emm, married to John Ruel 1668; and Dorcas, married to James Gibbins, jr. the same year. Giles Read married Judith Mayer about 1674.

At a town commissioners' court holden before Maj. Phillips, associate, and Waddock, Gibbins and Hooke, commissioners, about 1664, John Williams and John Palmer were defendants in two actions of debt, Francis Hooke, plaintiff. A former remark respecting the name *Williams* should therefore be corrected; as the defendants were doubtless inhabitants of the town. William Sheldon appears about the same time; Thomas Fox a few years later. Sheldon and Palmer were inhabitants of Scarboro' 1681-3.

Few of the early inhabitants have a more numerous posterity than Humphry Scamman, whose admission 12 June, 1680, has already been noticed. He was born 1640, perhaps in Portsmouth, N. H. where Mr. Richard Scamman settled about that time. Humphry afterwards lived at Kittery point; but the records of that town do not contain his name until 1677, when the birth of his son Humphry was registered. His wife's name was Elizabeth; their children were Humphry, born May 10, 1677; Elizabeth, who was married to Andrew Haley of Kittery, 1697; Mary and Rebecca, whose husbands' names were Puddington and Billings;\* and Samuel, born 1689. Mr. Scamman removed to Cape Porpoise (Kennebunkport) before he came to Saco, where he received a town grant 1679;† the same year in which he purchased the estate of H. Waddock in Saco. He died in this town 1 January, 1727.

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\*Both Portsmouth names as early as 1640. Belknap. Hist. N. H. i. 47. †A few leaves of the C. Porpoise records (about 1680) remain.



## CHAPTER XV.

The peace made with the Indians in 1678 continued, with some slight interruptions, for a period of ten years. During this short interval the inhabitants were often alarmed by indications of a renewal of hostilities and the horrors of savage warfare. The utmost precaution was used to guard against surprise, and little real quiet seems to have been enjoyed. The tribes inhabiting Maine, to whom the French gave the general name Abenakis, and the English, Tarrentines, were regarded by the former people as "the most mild and docile of the Indians";\* and this opinion of their natural character is confirmed by the peaceful intercourse which they so long maintained with the first settlers. But the late war, and the instigations of the Canadian French, developed their worst passions, and converted them from friends into the most cruel enemies of the English inhabitants. The peace did not restore to them their former amicable feelings; having become familiarized to scenes of violence and lawless depredation, the once peaceful and harmless native was transformed into a blood-thirsty savage, prepared for the most atrocious deeds. Another cause, also, operated to degrade and corrupt the character of the Indians, which has had its effect in succeeding times, and in every part of the country; we refer to the practice of supplying them with spiritous liquors. To this should be added the gross impositions of unprincipled traders, which excited their hatred and jealousy towards the English generally. The laws on this subject were not sufficiently enforced until too late to correct the error. One of the first orders passed by the Court under President Danforth, 1680, was intended to arrest the evil; which prohibited the sale of spiritous liquors to the Indians under a penalty of 20s. for every pint sold to them, and likewise all trade with them in beaver or other peltry without special license from the government.

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\*Hutchinson. i. 404.

In the summer of 1681 some depredations committed at Wells, caused orders to be issued to the military to hold themselves in readiness. The inhabitants were at that time directed "to carry arms and ammunition to public meetings;" a precaution which long continued to be practised. Another alarm spread through the Province about two years later, when the following order of the Council, assembled by the deputy-president at Wells, was passed: "Whereas by intelligence from several places there appeareth vehement suspicion of the rising of the Indians in hostility against the English of this country, which calls for a readiness most speedily to prepare against the assault of so barbarous an enemy, whereof the Council being sensible do account themselves obliged to take effectual care, do order as follows: that the militia of every town in this province shall with all convenient speed, at the public charge of the towns wherein they live, provide garrison or garrisons in each town that may be convenient for the entertainment and defence of the whole inhabitants thereof, and to use their best endeavor therein, and order that every particular person in each town be furnished with arms and ammunition, according to the number of persons capable to use them."

Garrisons, it is well known, were a common means of defence provided by the inhabitants throughout N. England down to the latest period of Indian hostilities. They were nothing more than wooden fabrics built of massive timber, commonly having flankers, or wings, of the same material, and furnished with loop holes. A solid wall of palisadoes, of great thickness and strength, was in some cases made to enclose the garrison, leaving a considerable space around the premises, within which the people were safe from a sudden assault. The remains of buildings of this description may yet be seen in some places, and have existed until within a few years in our own towns.

The following letter from Maj. Hooke, (who had removed from Saco,) to a gentleman of New Hampshire describes an alarm that occurred not long after the date of the above order:

"CAPT. BAREFOOT—SIR, This is to inform you that just

now there came to me a post, wherein I am fully informed that there is just ground to feare that the heathen have a souden designe against us: they having lately about Saccoe affronted our English inhabitants there by threatening of them, as also killinge theyre doggs: but more particularly in that on Friday, and Lord's day last they have gathered all theyre corne, and are removed both pack and packidge. A word to the wise is enough. The old proverb is, forewarned forearmed. Myself and rest in commission with us are fourthwith setting ourselves in a posture, and tomorrow our counsell meet for to consider what is needful to be done. Not else, beinge in greate haste, butt remayn, Sir, your obliged servant,

FRANCIS HOOKE.

Kittery, 13 Aug. 1685."

In the spring of 1688, the tradinghouse of the Baron of St. Castine, a French inhabitant on the eastern side of the Penobscot, was plundered by Gov. Andros, on the pretence of its being seated within the limits of the English jurisdiction, which the Baron refused to acknowledge. Castine had resided many years in the country, having come out as an officer in the French regiment to Canada 1664: these troops were disbanded three years after, and chiefly settled in Canada, where they received grants of lands from government. The Baron penetrated the wilderness, and finally pitched upon a spot near the mouth of the Penobscot, which at an earlier period had been occupied by a French establishment. He here lived in the midst of the Penobscot Indians, and even took for his wives the daughters of the chief Madocawando, the most powerful of the eastern sachems. The outrage of Andros, committed during the absence of the Baron, was probably the immediate cause of the war which soon after followed; as the affronted Frenchman stirred up the hatred and animosity of the savages in that region against the English, and supplied them with arms and ammunition for carrying on hostilities. The Indians in the western part of the Province, pretended to have sufficient grounds for renewing the war. They complained that the tribute of corn stipulated to be paid them, had been refused: that they were disturbed in their fish-

ing on Saco river by the use of nets and seines, which obstructed the passage of the fish : that their lands were granted away by patents : and that they were cheated and abused by the traders. Threats were thrown out during the summer, which justly alarmed the inhabitants. At length, a report having reached this place that some mischief had been done at North Yarmouth, Mr. Blackman, who was a justice of the peace, ordered Capt. John Sargent to seize sixteen or twenty Indians who had been most active in the former war, in order to have an examination, and to bring in the rest to a renewal of the treaty.\* They were carried under a strong guard to Falmouth. Notice of this transaction having been sent to Boston, judge Stoughton and others came down to obtain a conference with the Indians by means of the prisoners, but their endeavors proved ineffectual, and they returned, taking the prisoners with them.

Blood was first shed at Dartmouth, now Newcastle, near Pemaquid, early in September.† A few days after Capt. Gendal and his servant were killed at North Yarmouth. Towards winter two families of the names Barrow and Bussy, living in Kennebunk, near Winterharbor, were cut off. Gov. Andros, who was at N. York when the Indian prisoners were carried to Boston, on his return set them at liberty, from an idea that too much severity had been practised by his predecessors in their treatment of the savages ; at the same time he issued a proclamation, requiring the authors of the late outrages to be given up. No notice was taken of this demand, when Andros raised a large body of soldiers, (as we have before stated,) and marched at their head in the depth of winter from Boston to Pemaquid, but without destroying a single enemy, although some of his own men perished with the cold. In April, 1689, "the savages began to renew hostilities at Saco falls, on a Lord's day morning," says Mather ; but no lives appear to have been lost. Two or three months after, four young men of this town going to seek their horses for the purpose of joining a party under Captain

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\*Cotton Mather, (the historian of the second Indian war,) *Magnalia*. ii. 506.    †Hutchinson. i. 326.

Wincol, were waylaid and killed. A company of twenty four men was immediately raised to search for the bodies of the slain, who falling in with the savages, pursued them into 'a vast swamp,' probably the Heath, but were obliged to retire with the loss of six of their number.

A revolution in the government took place this season, which resulted in the forcible removal of Andros. From a statement afterwards published by the latter, we learn that ten companies, composed of sixty men each, were stationed in Maine; one of which, commanded by Capt. John Lloyd, was placed here, and afterwards increased by an additional detachment of twenty eight-men. A less number, under Lieut. Puddington, was stationed at Kennebunk, "to be relieved from Saco."\*

The next year, 1690, was signalized by the destruction of the settlement at Salmon Falls,† (Berwick,) and the capture of the fort at Falmouth, by two parties of French and Indians. "The garrisons at Papoodack, (C. Elizabeth,) Spurwink, Black-point and Blue-point," says Dr. Mather, "were so disanimated by these disasters, that without orders they drew off immediately to Saco, twenty miles within Casco, and from Saco in a few days also they drew off to Wells, twenty miles within the said Saco; and about half Wells drew off as far as Lieut. Storer's."

Scouting parties were employed during the summer between Portsmouth and Falmouth, by means of which the Indians were restrained from further depredations of any magnitude. In September, Col. Church was sent into the province with considerable forces, partially composed of friendly natives of the old colony. They landed at Pegypscot, where a fort, built by Andros, had been in possession of the Indians who hastily fled on the approach of Col. Church, leaving behind several women and children; these falling into his hands were all put to death('knocked on the head,') except the wives of two chiefs whose influence was wanted to obtain a restoration of prisoners. From that place, Col. Church sailed to

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\*3 Mass. Hist. Coll. i. 86. It is also stated that these troops all deserted after the return of Andros from the eastward: but Captain Lloyd subsequently performed many valuable services in the Province. See *Mather*. †Charlevoix, liv. vii. writes the name *Sementels*.

Winter Harbor; the next morning after they arrived, 'they discovered some smokes rising towards Scamman's garrison: he immediately sent away a scout of 60 men, and followed presently with the whole body.'\* This garrison was about three miles below the falls, on the eastern side of the river; when the detachment approached it, they discovered the Indians on the opposite side. Three of them, however, had crossed the river, and seeing our men, ran with great speed to their canoe; in attempting to re-cross, one who stood up to paddle, was killed by a shot from the party, and falling upon the canoe caused it to 'break to pieces,' (says Church,) 'so that all three perished.' The firing alarmed the other savages who abandoned their canoes and ran from the river. 'Old Doney,' a noted Indian, was at the Falls, together with a prisoner, Thomas Baker,† and hearing the guns, came down the river in his canoe; but on perceiving our men, ran his canoe ashore, and leaping over the head of Baker, escaped to the other Indians. Col. Church afterwards went again to Casco bay, and from thence back as far as Wells, where the chiefs whose wives had been spared, came in, and 'said three several times that they would never fight against the English any more, for the French made fools of them, &c.' But early the following year (1691), fresh outrages were committed.

Sir William Phips, having been appointed governor of Massachusetts, resolved to carry on the war with renewed spirit. Maj. Converse was made commander of the forces in the province, who commenced building a stone fort near Saco falls in the summer of 1693. 'Repairing to Saco,' says Mather, 'they began another fort, which was carried on by that worthy gentleman, Major Hooke, and the truly commendable Capt. Hill, and proved a matter of good consequence to the province.' The fort stood on the western side of the river, a short distance below the falls; the remains of it are still visible on the high bank nearly opposite the Manufacturing establishment. It is said to have been built with so much strength that the Indians never attempted to take it; of course it af-

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\*Church's Wars.117. †An inhabitant of Scarboro' 1681. *Scar. Rec.*

forded great security to the inhabitants. A number of soldiers were stationed here under the command of Capt. George Turfrey and Lieut. Pendleton Fletcher. So much energy was shown in the preparations for war in the early part of this year, that the Indians became alarmed, sued for peace, and, in August, a treaty was made at Pemaquid, 'signed by the principal Sagamores of all the Indians belonging to the several rivers of Penobscot and Kennebeck, Amarascoggin and Saco.' The following summer, however, hostilities were renewed near the Pascataqua, at Spruce creek, and in York. The leaders were fortunately seized; Robin Doney and three others at Saco fort, and Bomaseen at Pemaquid, in August 1694. The latter was sent to a gaol in Boston. The next March, two soldiers belonging to the fort at this place, fell into the hands of the enemy, one of whom was killed, and the other carried into captivity. The savages appear to have lurked about the fort, watching an opportunity for mischief. Sergeant Haley was cut off in this manner, venturing carelessly out of the fort, in the latter part of the summer. The next year five soldiers in a similar way lost their lives. They had discovered the enemy in season to make their escape, but not agreeing about the course to be taken, (being at a considerable distance from the fort,) they unfortunately fell into an ambush and were all slain.

Maj. Charles Frost, of Sturgeon creek (Kittery,) was killed on Sunday, July 4, 1697, returning from public worship at Berwick; 'to repair unto which,' says Dr. Mather, 'about five miles from his own house, he had that morning expressed such an earnestness, that much notice was taken of it.' Two others were killed at the same time, but two sons of Maj. Frost, who were in the company, happily escaped. The Indians had secreted themselves behind a collection of boughs lying near the road; the place was open and level, and apparently much less likely to conceal an enemy than other parts of the road which they passed. Maj. Frost filled various offices of great respectability. In 1693, he was a member of the Council of Mass. Bay, elected by the people under the provisions of the new charter. He had been an active

officer in Philip's war, and was much feared by the savages. His father, Nicholas Frost, already mentioned as one of the first settlers in Kittery, died in 1663, at the age of 71 years, leaving two other sons, John and Nicholas. The capture of Lieut. Fletcher, and his two sons, took place the same year; of which Dr. Mather gives the following account. "Three soldiers of Saco Fort cutting some firewood on Cow island for the use of the fort, were by the Indians cut off; while that Lieut. Fletcher with his two sons, that should have guarded them, went a fowling; and by doing so they likewise fell into the snare. The Indians carrying these three captives down the river in one of their canoes, Lieut. Larrabee, who was abroad with a scout, waylaid them, and firing on the foremost of the canoes that had three men (Indians) in it, they all three fell and sank in the river of death; several were killed aboard the other canoes; and the rest ran their canoes ashore and escaped on the other side of the river; and one of the Fletchers, when all the Indians with him were killed, was delivered out of the hands which had made a prisoner of him, though his poor father afterwards died among them."

About the same time Humphry Scamman and his family were taken and carried to Canada. The story of their capture is thus related by an aged lady, a grand daughter of Samuel, the youngest son of Mr. Scamman. When Samuel was about ten years old, as his grand daughter has often heard him relate, he was sent one day by his mother with a mug of beer to his father and brother, who were at work on a piece of marsh in the neighborhood of the lower ferry. He had not gone far from the house when he discovered a number of Indians at a distance, and immediately ran back to inform his mother. He regained the house, and wished to fasten the doors and windows, but his mother prevented, saying that the Indians would certainly kill them if he did. They soon came into the house and asked the good woman *where her san-ap* (husband) was? She refused to inform them, when they threatened to carry her off alone; but promised if she would discover where he was, to take them together without harm. She then told them. After destroying



much of the furniture in the house, breaking many articles on a flat stone by the door, and emptying the feather beds to secure the sacks, they went away with the prisoners towards the marsh, where they succeeded in capturing Mr. Scamman and his other son. A boy named Robinson, who had been for the team, as he was returning, perceived the savages in season to make his escape; mounting a horse, with only his garters for a bridle, he rode up to what is now called Gray's point, swam the horse to Cow island, and leaving him there, swam to the opposite shore, and reached the fort in safety. He found only a few old men and women in possession of the place. The guns were immediately fired to alarm the soldiers belonging to the fort, who were at work some distance off. The women in the meantime put on men's clothes, and showed themselves about the fort, so that they could be seen by the Indians who had come up to the opposite island. Deceived by this stratagem, (supposing the fort to be well manned, as they afterwards acknowledged,) they did not venture an attack, but drew off with a number of prisoners beside Scamman and his family. As the peace took place soon after, the prisoners were all restored, having been probably about one year in captivity. Mr. Scamman on his return, found his house in precisely the same condition in which it had been left; even the mug of beer, which Samuel placed on the dresser, was found remaining there. This mug is still in existence, preserved by our venerable informant as a memorial of the dangers and sufferings to which her ancestors were exposed. It is a handsome article of brown ware, with the figure and name of King William stamped upon it. Its age is about 140 years.

In 1698, the war between England and France being at an end, the Indians made new overtures for peace, and commissioners were sent to treat with them, who concluded a treaty at a place called Mar's Point, Casco bay, Jan. 7, 1699. Thus ended a bloody war, which had continued with little intermission for ten years.

The settlements enjoyed however, but a short respite from the unspeakable miseries of savage warfare. The succession of Queen Anne to the English throne 1702,

was followed by a renewal of hostilities with France. The next year Gov. Dudley appointed a conference with the Eastern Indians at Falmouth, in consequence of some indications of an alarming character. Delegates appeared from the different tribes, who declared to the Governor that "as high as the sun was above the earth, so far distant was a design of making war from them." The suspicions that had been excited, were soon confirmed, however, and in August, six weeks after the conference, a body of 500 French and Indians fell upon the settlements between Casco and Wells, burning and destroying all before them. One hundred and thirty people were killed and taken prisoners in the course of this devastation.\* A garrison at Winter Harbor, and the stone fort at the Falls, were attacked by this party; the former after a stout resistance, finally capitulated on favorable terms. In the assault on the fort, eleven were killed and twenty-four taken prisoners, who were carried into captivity. At Spurwink twenty-two persons of the name of Jordan were either killed or captured. The garrison at Scarborough' held out against an attack. At Cape Elizabeth (Purpooduck) twenty-five were killed and eight taken. The expedition was led by a French officer named Beaubassin, who reported on his return to Canada, that he had slain three hundred English, but taken little plunder. This statement is discredited by the able authors of the *Universal History*, on the ground that the English accounts are silent respecting it, and that a considerable spoil must necessarily have been obtained.† But the French account is too nearly supported by Penhallow, an American writer. The inhabitants, having been lulled into security by the result of the conference at Casco, were taken by surprise and became the easy victims of the perfidious cruelty of the savages. Towards the close of the year, five of our inhabitants who were getting home wood, were surprised by the enemy and three of them slain. The next month (Jan. 1704,) a body of Indians attacked a garrison in Saco, probably at the Falls, commanded by Capt. Brown, but were repulsed.‡ Capt.

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\*Penhallow's 'Wars of New England.' †Mod. Univ. Hist. xl. 146.

‡Sewall. MS. Diary.

Hill (Joseph, probably) who had fallen into the hands of the enemy, was sent from Canada 1705, to obtain an exchange of prisoners; he reported that there were with the French 114 captives, besides 70 with the Indians. Saco Fort was at that time undergoing repairs; for we find Capt. Turfrey allowed by the Gen. Court of 1704, £164 for this purpose.\*

About this time, Ebenezer Hill (afterwards Deacon) and his wife Abigail, then recently married, were carried into captivity. Several Indians, who professed to be friendly and were frequently in the houses of the inhabitants, called at Mr. Hill's in the usual manner one morning, and partook of some food which was offered them. They left the house, but soon after returned and finding Mr. Hill gone, told his wife that they must make her a prisoner. They proceeded to plunder such articles from the house as they could conveniently carry away, and destroying others. When Mr. Hill came, he found his wife secured, having her arms pinioned, and the savages employed in emptying a feather bed. He gave himself into their hands, and the Indians decamped with the prisoners. They were carried to Canada, where they remained three years. Their oldest son, Ebenezer, was born either in Canada or while they were on their return. He was familiarly called the *Frenchman* in after years. Mr. Hill's house was on the western side of the river, near the head of 'ferry lane.'

In 1707, an engagement took place at Winter Harbor between a fleet of fifty canoes, manned by 150 Indians, and two small vessels in which were Capt. Austin, Mr. Harmon, Sergeant Cole, five other men and a boy. Seeing the canoes approach in a hostile manner, the men fired upon them as soon as they came near, and produced some confusion. The Indians soon recovered, however, and a brisk action ensued. They succeeded in capturing one of the boats, but the men escaped into the other with the loss of only one man, Benj. Daniels, who was shot through the bowels. As he fell, he exclaimed, "I am a dead man!" but recovering himself a little, he added,

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\*Mass. Records.

"Let me kill one before I die!" his strength, however, failed him. The action lasted three hours. The Indians approached near enough to seize the blades of the oars.

The Gen. Court passed an order 1708, directing the removal of the forces from the stone fort at the falls to Winter Harbor, where a new fort was built on the extremity of the point at the entrance of the Pool. Three hundred pounds were appropriated for this object, and Maj. Joseph Hammond and Capt. Lewis Bane appointed to carry the order into effect. In 1710, one hundred pounds were granted by the court towards the completion of the fortification, which was called Fort Mary; a supply of snow-shoes and mogasins was voted at the same time. The remains of Fort Mary are now distinctly visible on the point, which is still called Fort hill. In August of that year, about fifty French and Indians made an assault on Winter Harbor, killed a woman, and took two men, one of whom, Pendleton Fletcher, was captured for the fourth time. The garrison redeemed him. The next week a large party came, killed three, and carried away six. They barbarously stripped off the skin from one of the slain, *and made girdles of it*. Col. Walton with 170 men, soon after visited the place, and marched up the river, but succeeded in destroying only two of the enemy and taking five prisoners. Corporal Ayers of Fort Mary fell into the hands of the savages about this time, but was liberated immediately; the Indians, being weary of the war, which had reduced the number of their fighting men from 450 to 300, sent in a flag of truce to the fort, and desired a treaty. But some of them committed depredations afterwards in Wells, York, and Dover; and peace did not take place until 1713, after the cessation of hostilities and the treaty of Utrecht in Europe. They sent in proposals to Capt. Moody of Falmouth, signifying their desire of treaty; and on 11 July, 1713, Governor Dudley and the Council met them at Portsmouth, where, by a formal writing under hand and seal, they renewed their allegiance and "begged the Queen's pardon for their former miscarriages."

## A Chronological view of the principal events of a general character noticed in the foregoing pages.

- 1602 Discovery of New England.
- 1603 Discovery of Saco river, called Shawakotock.
- 1604-5 Visit of the French navigators, De Monts and Champlain.
- 1606 Plymouth Company formed.
- 1607 Sagadahock Colony sent out.
- 1608 Return of the Colonists to England.
- 1614 Visit of Capt. John Smith to Saco river, called Sawocotuck.
- 1616 Richard Vines passes the winter at Winter Harbor.
- 1620 Council of Plymouth established.
- 1622 Grant of Laconia to Gorges and Mason.
- 1628 First permanent settlement in Maine, at Pemaquid.
- 1630 Patents on Saco river granted. Settlement made on the western side of the river, now Biddeford.
- 1631 Settlement on the eastern side of the river, now Saco. The inhabitants on both patents composing one town called Saco; governed by a Combination. Plough Patent granted.
- 1635 Separate grant from the Council of Plymouth to Gorges, from Pascataqua to Kennebec; made a Province by Gorges under the name of New Somersetshire, and William Gorges sent out as governor.
- 1636 Government of New Somersetshire organized at Saco. First Court holden on the eastern side of the river.
- 1639 Grant of the Council to Gorges confirmed by the King; the name of the Province changed to MAINE.
- 1640 Government of Maine organized; General Court holden at Saco. Thomas Gorges Governor.
- 1643 Gov. Gorges returns to England. Richard Vines, Steward General, the acting governor. Plough Patent purchased by Alex. Rigby; the towns embraced in it formed into a separate jurisdiction, styled the Province of Lygonia. Geo. Cleaves appointed Deputy President.
- 1645 R. Vines elected Governor of Maine by the General Court. Succeeded by Henry Jocelyn. Vines conveys his Patent to Dr. Robert Child.
- 1646 Controversy of Gorges and Rigby decided in favor of the latter.
- 1647 Death of Sir F. Gorges; succeeded as Lord Proprietor by Sir John Gorges.
- 1649 Combination of the towns Pascataqua, Gorgeana and Wells. Edward Godfrey chosen governor.
- 1650 Death of Alexander Rigby; succeeded by Edward Rigby.
- 1652 The Colony of Mass. Bay claims the greater part of the Province of Maine as within her patent and jurisdiction. Claim resisted by Gov. Godfrey and his Council. Pascataqua and Gorgeana submit; named Kittery and York. The Province converted into the County of Yorkshire.
- 1653 Wells, Cape Porpoise and Saco submit to Mass. Bay.
- 1655 Levy made on Vines's patent, as the property of Messrs. Beex & Co. of London.
- 1658 Blue-point, Black-point and Casco submit to Mass. Bay. The two former plantations incorporated under the name of Scarborough; Casco called Falmouth.

- 1659 Beex & Co. sell Vines's Patent to William Phillips of Boston, who removes to Saco.
- 1665 The King's Commissioners come into the Province, and establish a new jurisdiction; Henry Jocelyn left at the head of the government. Sir Ferdinando, son and successor to Sir John Gorges, revives his claim to the Province.
- 1668 Mass. Bay forcibly resumes a jurisdiction in the Province. Conflict at York.
- 1675 Philip's war commences.
- 1676 Controversy between Gorges and Mass Bay decided in England in favor of the former.
- 1677 Gorges sells the Province to Mass. Bay for the sum of £12000 sterling.
- 1678 Peace with the Indians. Treaty made at Falmouth.
- 1680 Thomas Danforth President of Maine. Brian Pendleton deputy-president.
- 1686 Joseph Dudley President of New England. Superseded by Sir Edmund Andros.
- 1688 Second war with the Indians.
- 1690 Berwick (Salmon Falls) and Casco destroyed by the French and Indians.
- 1691 New Charter granted to Mass. Bay by William and Mary.
- 1692 Sir William Phips Governor of Mass. Bay.
- 1693 Stone Fort built at Saco Falls.
- 1698 Peace with the Indians. Treaty of Mar's Point.
- 1703 Third Indian war. Joseph Dudley Governor of Mass. Descent of the French from Canada on the towns in Maine.
- 1710 Fort Mary built at Winter Harbor, Saco.
- 1713 Peace concluded with the Indians.











# HISTORY

OF

## *SACO AND BIDDEFORD.*



### PART SECOND.



#### CHAPTER I.

AFTER the pacification of 1713, the dispersed inhabitants began to return to their deserted homes from the more secure settlements to which they had fled for safety ; the garrisons and forts in which those who remained, had been confined, were now abandoned, and the town instead of presenting to the eye the dreary aspect of tenantless dwellings and uncultivated fields, became once more the abode of a busy and industrious, though not a numerous population. A new period in its history thus commences. For nearly thirty years no records of meetings for the transaction of town affairs, are found ; the first record after this long interval shows that the inhabitants had ceased to act as a municipal body, and describes the measures taken to re-organize in that capacity. It is as follows : "March 15, 1717. The inhabitants of Saco thought fit to make choice of officers as in other towns by reason of a public charge arising in the town, for defraying public charges, as making a rate for the payment of Rev. Mr. Short, and other charges that may arise ; and at the meeting of the inhabitants it is a clear vote that Humphry Scamman is town clerk, and that Mr. Andrew

Brown, Richard Stimpson, and H. Scamman, be selectmen and assessors, and John Stackpole constable, and at the meeting thought fit not to make choice of any other officers." In May another meeting was held for signing a petition to the General Court to obtain a continuance of the minister's salary the ensuing year, "and accordingly there was a blank signed by the whole meeting, and committed to the constable to get a scrivener to draw the same," who made return that he had done accordingly, and committed the same to Capt. Lewis Bean, the representative of York. The petition was signed by John Lane, and thirteen others, whose names are not recorded; it was granted by the Court.

Capt. Lane was at this time the commander of Fort Mary, Winter Harbor, where he died not long after. He was born in Limerick, Ireland, and emigrated to New England while a young man. Before his military appointment, at this place, he had settled in Hampton, N. H.\* He was succeeded by John Gray, Esq. in the command of Fort Mary. This gentleman came from England with Gov. Shute 1716, from whom he received both a military and a civil commission. He was at Winter Harbor as early as January, 1720.

At a townmeeting in July, William Dyer was elected "attorney or agent of the town for one year." The same year, the following petition was presented to the General Court by Capt. Bean, "in behalf of himself, Casco bay, and Black-point; Whereas four years ago Benjamin Haley was allowed to keep a ferry on Saco river at its mouth, which place is inconvenient on account of its nearness to the sea, and the roughness thereby occasioned; and said Haley is negligent, and travellers are exposed to danger, and there is a more commodious place for one higher up where H. Scamman now dwells, whose father for many years kept the ferry till in the late war he was driven away by Indians; wherefore he prays that said Scamman may be appointed by this court to keep the ferry at that place." The petition was granted.

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\*Family tradition. Col. I. Lane, of Hollis, is a great-grandson of Capt. Lane.

The next year, 1718, the last meeting of the inhabitants on both sides of the river under the old name of Saco, was holden at the house of John Stackpole ; when Ebenezer Hill, Scamman and Stimpson, were chosen selectmen. No other proceedings of the town this year are preserved ; but the records of the General Court in some measure supply the deficiency. "Nov. 14, 1718. On petition of H. Scamman and others, resolved, that £40 be allowed and paid out of the public treasury towards the support of a minister at Winter Harbor for this year ; and that the petitioners be invested with the powers of a town according to the ancient bounds thereof ; provided that this order shall in no measure infringe the just title of any person to lands there, and that fifty families at the least more than now are, to be admitted as soon as may be, and settle in a compact and defensible manner according to the directions of Hon. John Wheelwright [of Wells,] and others, the committee for regulating the eastern settlements ; And that the name thereof be **BIDDEFORD**."\*

The townmeeting in March, 1719, is the first recorded to have been holden in Biddeford. Benjamin Haley, Hill and Scamman were chosen selectmen ; John Sharpe surveyor. In May, it was "voted that H. Scamman appear sent and represent this town before the great and General Court at Boston." And "that the selectmen give his Excellency thanks, and that his Excellency be desired to send for this representative no oftener than there is occasion for the service of this town in their behalf. Voted that the selectmen run the line between Cape Porpoise and this town."

A meeting was held 2 April, 1720, for the purpose of dividing the commons or town lands, "for the enlarging

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\*Some of the inhabitants we suppose emigrated from Biddeford, Eng., which is in the county of Devonshire, near the entrance to Bristol Channel, and is thus described by Worcester, Univ. Gazetteer : "Biddeford, or Bideford, (By the Ford,) a seaport, 40 miles north of Exeter, 108 west of London ; population 3244. It is situated near the union of Towridge and the Taw [rivers,] over the former of which there is a very long bridge of 24 arches. Large quantities of coarse earthen ware are made here, and sent to most parts of the Kingdom. The market is large and well supplied with provisions."

the town and settlement"; 100 acres were voted for a parsonage; H. Scamman, jr. was granted 50 acres "where he can find it clear of all former grants; and it is agreed that he shall not exceed fifty poles in breadth, and all the lands that shall be given this day, to be laid out according to this form as to quantity of breadth;" J. Stackpole 40 acres; Pendleton Fletcher 50; Samuel Cole 45; E. Hill 40; B. Haley 40; Capt. John Sharpe 40; W. Dyer 40; Rob. Edgecomb 30; R. Edgecomb jr. 30; Rob. Elwell 40; John Brown 40; Samuel Smith 35; Richard Smith 40; Ebenezer Pratt 40; Solomon Smith 40; Mathew Robertson 30; Nathaniel Tarbox 40; John Davis 40; Wm. Gibson 40; Samuel Scamman 40; Samuel Jordan 40; John Sharpe jr. 30. H. Scamman's grant was bounded in part as follows: "Beginning at a point of rocks lying forty poles W. S. W. distance from a beaver dam that hinders the passage of the water from falling into *Francis Backus'* brook, it being the northernmost branch of Little river, by which is understood the Little river on the south west side of Saco river," &c.

In 1722 it was voted to raise £22 to defray the charges of the town; and not to send a representative "by reason of not being of ability to defray the expense." Five years after, the government issued £60,000 in bills of credit, which was distributed among the towns, to be loaned to individuals, and repaid at stated times with interest.\* Sept. 22, 1728, there was a townmeeting "for the choice of three persons as trustees of the £60,000 loan;" Fletcher, Hill, and H. Scamman were chosen. The trustees were directed by the town "to let out the money in sums not exceeding £10, with sufficient security."

A further allotment of town lands was made 1728, each lot consisting of 30 acres, on condition that the grantees paid to the treasurer 4*l.* and dwelt in the town five years. The following persons received grants at this time: Joshua Hooper, Allen Gordon, Henry Pendexter, Charles Monk, Edward Rumery, John Smith, John Bryant, Jacob Davis, Samuel Cole, Joseph Gordon, Pendle-

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\*Hutch. Hist. Mass. ii. 297.

ton Fletcher jr., Ebenezer Hill jr., John Stackpole jr., John Treworgy, Thomas Edgecomb, Robert Brooks, John Brown, William Dyer jr. Capt. Samuel Jordan.

The Phillips heirs appeared on the re-settlement of the town, and caused a division of their lands to be made. The principal tract was four miles square, embracing the upper half of the original patent, which had been devised by Maj. Phillips to his lady and two sons, Samuel and William, with the exception of one fourth part previously sold to Abraham Harmon of Fayal. Samuel, a few years after the death of his father, as we have stated, sold his undivided part, being one fourth of the whole, to Capt. Geo. Turfrey. One half of the tract only, therefore, was claimed by the Phillips family, at the time of the division, which took place in September, 1718. Those who appeared, were William Phillips, Deborah, the wife of William Skinner, Sarah and Anne Phillips, singlewomen, and Bridget, the wife of John Merryfield, all of Boston, grandchildren of Maj. Phillips. On the part of the other proprietors, John Briggs of Boston alone appeared, whose wife Katherine was a daughter of Capt. Turfrey. The division was made by Messrs. Joseph Hill of Wells, and Lewis Bean of York, commissioners, and Abraham Preble of York, surveyor. They began "at a small brook below the Falls, known by the name of Davis's brook, and thence ran four miles up the river, and thence backwards into the country four miles;" including Bonython and Cow islands, and the sawmill built by Capt. Turfrey. Six acres about the mill were assigned to the proprietors in common for a landing, still known 'as the mill brow.' The commissioners then proceeded as follows: 1. They laid out to Briggs, beginning at Davis's brook, an extent of eighty rods on the river, running back south west four miles to the bounds of the patent. 2. To the Phillips heirs 160 rods next above on the river, and four miles back. 3. To the heirs or assigns of Harmon eighty rods. 4. To the Phillips heirs one mile and a half. 5. To Briggs three fourths of a mile. 6. To Harmon three fourths of a mile. Two years after, the Phillips heirs sold out in part to Edward Bromfield jr., Thomas Salter, Samuel Adams, (father of Gov. S. Adams,) and

Henry Hill, all of Boston. Briggs also sold in part to Tristram Little of Newbury, a few years later. The supposed heir of Harmon, George Buck of Biddeford, England, did not appear until a much later date. In 1758 he sold Harmon's first lot, eighty rods wide, to Benj. Nason; and nine years after the second lot, 3-4 of a mile in breadth, to John McIntire of York. Corresponding shares in the mill, long known as 'the lower mill,' were conveyed with the land. This mill, originally built by Capt. George Turfrey probably soon after his purchase (1691,) continued to be renewed until 1814, when it was carried away by 'the great freshet'. The *Eddy* mill was afterwards built nearly on the same privilege. At the time of this division, Samuel Cole was living near the mill brow; and the following year he purchased twelve acres lying above the Turfrey mill, including the *steep fall* privilege, on which he soon after built the *Cole mill*, where it now stands. Twenty years later (1740) Cole sold, as a part of his 12 acres, one half of the *Gooch mill* privilege to Thomas Wheelwright of Wells; and the latter directly after sold 1-4 to Benj. Gooch of Wells. Cole, in his conveyance to Wheelwright, speaks of his *old mill*; referring to the Cole mill, which was built about 1720. In the spring of 1741, the three proprietors built the Gooch mill on the island now called Gooch island, separated from the main by a channel formerly known as Jordan's creek. The right of Cole to convey any part of the island, (containing three or four acres,) has long been a vexed question, from which innumerable lawsuits have sprung.

Nathaniel, a son of Major Phillips, left no lineal heirs. His nephew William took out administration on his estate 1719, and brought in a tract of land  $1\frac{1}{4}$  miles in breadth on the river, and extending four miles to the southwest. Adams, Salter, and Bromfield, afterwards joined by Pepperell, purchased out the collateral heirs, and divided the tract among themselves. Parker's neck, on which Fort Mary was built, formed a part of this property, and was sold by the heirs to Capt. Samuel Jordan 1727. Capt. Jordan erected a dwellinghouse there not long before, which is now standing, occupied by Deacon Waldo Hill.



His conveyance runs—"All the land between the lower end of the pines on Parker's neck, commonly called Wind mill hill, to the cove before said Jordan's dwelling-house." The division was made 1730, and included a somewhat greater extent than the land of Nathl. Phillips. The proprietors first divided a tract bounded on the southerly line of Phillips's patent, (terminating at the river with *the house of Ambrose Berry*, probably near Clarke's brook,) and running up the river 242 rods; Secondly, a tract adjoining this, extending 224 rods above, to the land of Mr. Gordon, formerly Pendleton's; the first about three, the second four, miles in length, southwesterly from the river.

The 600 acres devised by Maj. Pendleton to his son James, were conveyed by the latter to Nicholas Morey of Taunton, Mass. in 1700. James describes himself "of Westerly alias Haversham, in Rhode Island and Providence Plantations."\* Mr. Morey took possession of the Pendleton tract, the same year in presence of Joseph and John Hill. John Gordon, of Newbury, afterwards purchased a part of this land on which his sons Allen and Joseph were settled 1728. It is still occupied by descendants of Joseph Gordon.

The 500 acres conveyed by Maj. Phillips to Zachary Gillam and Ephraim Turner, his sons in law, lay next above Pendleton's, having West's brook on the south east. The lot was about 70 rods wide. Next came the land of William Hutchinson, "formerly called Liscomb's lot," containing the same number of acres. In 1742, Abigail Gillam, widow Abigail Taylor, and Brattle Oliver, of Boston, sold both lots to Capt. Samuel Jordan, Rishworth Jordan, (his son,) and Joseph Poak of Scarboro'; the latter taking one half, as his part of the purchase, on which he afterwards lived, since called *Poak's right*.

The strip of land in breadth from Nason's hill to Davis's brook, (which crosses the street near the store of Daniel

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\*The town of Westerly, R. I. was formerly a part of Stonington, Conn., from which it is separated by the river Pawcatuck. At a court holden in Rhode Island by Jos. Dudley, President of New England, and three of the Council, 1686, Mr. Pendleton was present as an associate justice. 1 Mass. Hist. Coll. ix. 82. v. 247.

Deshon, Esq.) was claimed, 1718, by John Hobbs of Boston, grandson of Christopher Hobbs, who bought of Maj. Phillips 1673. It was for many years the property of Col. John Tyng, of Tyngsboro, Mass., who died 1797.

Such is as minute a description of the principal divisions and conveyances of land within the patent on the western side of the river, as it is consistent with our limits to admit. In relation to the commons, or town lands, it may be remarked that their extent on the river appears to have been to Clarke's brook, near the mouth of which is a place called *Berry's back*, which probably indicates the situation of "the house of Ambrose Berry," mentioned in the report of the Mass. Commissioners 1659. Some dispute or doubt seems to have existed in regard to the town's right, in 1738, when the deposition of Joseph Hill Esq. of Wells was taken, who stated, that having been born in Saco, as his parents informed him, sixty seven years past, and lived there a considerable time, he always understood that the land which lay next the sea below Ambrose Berry, was consented to by Maj. Phillips to be at the town's disposal; and that all the inhabitants in the patent above Berry, derived their title from Phillips, of whom there were then (1738) upwards of twenty families.

The improvements of Blackman and his associates on the eastern side of the river were probably abandoned during the Indian troubles. A few families may have lingered about the Falls, but there is no reason to suppose that the operations of the proprietors were continued. They laid the foundation on which an enterprising company now began to build. In October, 1716, Samuel Walker of New Jersey, sold his two thirds of the Blackman purchase to William Pepperell, junior, afterwards Sir William, who was then only twenty years of age, but was engaged in extensive business with his father, Col. Pepperell, at Kittery-point. The following year young Pepperell purchased the remaining third part of the tract from Thomas Goodwill of Boston, who seems to have derived the title from his wife Rebecca, probably a daughter of Mr. Blackman. The bounds of the right are described in these as in the former deeds, including a privilege for timber on 4500 acres *northwest* of the pur-

chase. Directly after these transactions, Pepperell sold out two fourths of the whole tract to Nathaniel Weare of Hampton, millwright, and Humphry Scamman, junior, of this town, mariner, who together, in part payment, erected a double sawmill on the site of the old Blackman mill, and a dwellinghouse for the accommodation of the millmen, one half of which was to be the property of Pepperell. A division of the mill and of a lot of land adjoining, half a mile square, with a small reservation to be used in common, was made by the partners 16 December, 1717. Pepperell took a breadth of 80 rods, comprehending the part of the present village east of Main street, to the lower fence of the burying ground; Scamman 40 rods next below, and Weare 40 rods, to the brook near Pipe Stave, now Gray's, point. The whole tract, extending from Nichols's brook to the upper bounds of Gibbins's third division, a distance of  $4\frac{1}{4}$  miles, and in breadth not less than two miles, was divided 20 October, 1718, in the following manner: First, Pepperell began at Nichols's brook, ran 44 rods; next Scamman 22 rods, and Weare 22 rods; which brought them to Gray's point, the lower side of the lot divided the year before. They now extended the north east bounds of that lot to the middle line of the patent; then beginning at its upper side, (on Main street,) they set off, following the river, to Weare 40 rods, Scamman 40, Pepperell 80; (extending back two miles;) again, Pepperell 120, Scamman 60, Weare 60: Pepperell 120, Scamman 60, Weare 60; Pepperell 120, Scamman 60, Weare 60; Pepperell 127, Scamman  $67\frac{1}{2}$ , Weare  $67\frac{1}{2}$ , which completed the tract. A large rock in the river, above Little falls, marks the extent of the division, as now understood.

Several ways or roads were laid out at the same time; one "to run from the mill northeast two miles to the middle line of the patent, four rods wide," which is at present Main street and the post road as far as the house of John Foss. Another was "to run southeast and northwest about half a mile from the river, four rods wide, through the whole division"; now to a certain extent the Buxton and Ferry roads. "Likewise a way by the river through all the aforesaid land as near as may be to the

river, with convenience for men and oxen to pass and re-pass ; as likewise we reserve liberty to bring timber any ways upon all the aforesaid land to the said mill or the river, without it be through a mowing field, or cornfield, or orchard." Landing places were also reserved for common use : one opposite Jordan's, now Spring's, island, subsequently called Dennett's landing ; another near Tucker's wharf, which was long known as 'Pepperell's landing' ; and on Pipe Stave point.

The privilege of cutting timber on the land northwest of the purchase, being J. Bonython's Second division, was also divided by the proprietors. Pepperell took the upper half of the tract, Weare the next quarter, and Scamman the lower quarter. Landings were established on the river side of this privilege, from which roads led into the woods. The valuable island opposite to the mill, since well known as Cutts's or Factory island, was claimed by the proprietors under the name of Indian island, which, however, seems to have been attached to the Phillips estate, with the name of 'Bonython's island.'\* The division of the mill was as follows : "Pepperell takes the saw and frame next to the land, and the piling place next to the land ; and the saw and frame next to the river, said Weare and said Scamman are to have, and the piling place on the rock next to the river ; each owner of said saw is to maintain and keep in order his running gear and saw and all that belongs to each frame. As to the house, said Pepperell has the eastern half, and said Weare and Scamman are to have the western half." The house built for the proprietors has long since disappeared. Another erected about 1720 by Capt. Scamman, one story high, with a gable roof, was sold by his son to Mr. Robert Gray 1744, who added another story soon after, in which state it is still occupied by his grandson, James Gray, Esq. This venerable mansion, the oldest now stan-

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\*The sale of  $\frac{1}{2}$  of this island to Bonython by Phillips 1667, for a quantity of logs, has been already mentioned. p. 162. The island was divided between them the same year, when "the half next the Major's house" was assigned to him, and the remainder to Bonython. The island is not mentioned in the deeds to or from Blackman.

ding in Saco, with its high steep roof, is the most conspicuous object in ascending the river, above the Narrows, being placed on an eminence from which a wide view is commanded. It was for a considerable period protected from the ravages of the Indians by a strong garrison wall with flankers. Capt. Scamman was the only one of the proprietors resident in town, and continued to carry on the mill until his death, which took place in 1734, at the age of fifty eight years. His father, as already stated, died a few years before. The children of the former, born 1715-29, were Mary, Sarah, who married Joseph Hanson of Dover 1737, Humphry, removed to Kittery 1744, and lived to an advanced age, Dominicus, James, Nathaniel, Benjamin, both of whom died at Cape Breton, 1745, and Jeremiah, died in infancy. The estate of Capt. Scamman, soon after his decease, was divided among his children.

A division of the Foxwell estate among the heirs and their assigns took place 1732. The lower checker set off to Foxwell and Harmon in the division of the Patent, was divided into two equal parts by a northwest line, running from the sea to the head of the checker, a distance of two miles and fifty rods : of which the part on the south west being left to the heirs of Harmon, the remaining half, one mile in breadth, was allotted to the Foxwell heirs. A narrow strip only of the latter now lies in Saco, including a lot 70 rods wide, assigned to Pepperell as the representative of Mrs. Corbain, heiress of Nathaniel Foxwell, and another of 35 rods, Mrs. Norton's portion ; so much have the bounds of Scarboro' advanced into the original Saco township. The lots were laid out in length from the marsh (which was separately divided) to the head of the checker, 518 rods. The eastern moiety of the upper Foxwell and Harmon checker, was distributed into lots running from the patent line to the middle of the checker ; the lowest lot, 123 rods wide, was assigned to Pepperell ; the next,  $91\frac{1}{2}$ , to the heirs of Lucretia Robinson ; the next,  $91\frac{1}{2}$ , to the heirs of Mary Norton ; the next,  $91\frac{1}{2}$ , to the heirs of Sarah Curtis ; the next,  $91\frac{1}{2}$ , to the heirs of Esther Rogers ; the next,  $91\frac{1}{2}$ , to Susannah Austin. The Pepperell lot, being the inheritance of

Nathaniel Foxwell, was a double portion. The dividing line between Saco and Scarboro', as it now runs, leaves about two thirds of the division in the latter town.

The division of the Gibbins estate 1730, has been noticed in a preceding chapter. Beside lands lying near the mouth of the river, the two checkers on the eastern side of the Patent, being Gibbins's Second and Fourth divisions, were then assigned to the heirs. The former checker was divided into four lots, each measuring 147 rods on the patent line; of which the lowest was assigned to Rebecca Wakefield and Patience Annable; the next to Hannah Mace; the next to Rachel Edgecomb; the next, being the head of the checker, to Elizabeth Sharpe. "Moreover," say the Commissioners, "we do agree that the stream [Foxwell's brook] and the falls which are known by the name of *Foxwell's falls*, which belong to the heirs of Hannah Mace, Rebecca Wakefield, and Patience Annable, equally in quantity and quality, to be divided when they shall see cause to set up a mill or mills." The upper checker, now called the McKinney district, was left in common to the heirs at that time.

In 1732, administration was granted on the estate of John Bonython, nearly fifty years after his decease, and a division was made to the heirs of his five children. The administrators brought in 5000 acres of land, valued at 18s. per acre, comprising nearly the two checkers set off to him in the division of the Patent. The heirs, one of whom was Patience Collins, wife of John Collins, and only surviving child of John Bonython jr., sold out to James Skinner, James Morgan, and Humphry Scamman, immediately after the division. The premises were again divided, 1735, by Skinner, Morgan, and the heirs of Scamman. The third part of the upper checker adjoining the head line of the Patent, was assigned to Skinner; the next to the heirs of Scamman; the last to Morgan. The lower checker, excepting the part lying above Nichols's brook, was divided in a similar manner.

## CHAPTER II.

No other single cause so much retarded the growth, and checked the general prosperity of the town, as its exposure to the barbarous inroads of the Indians. It was still a frontier settlement, and hardly were the inhabitants quietly seated again on their lands, (with a considerable accession of numbers, however, from various quarters,) before the country was involved in another contest with the savage enemy, as destructive as any former one. The French government being rendered uneasy by the extension of the English settlements in the eastern country, after the peace of 1713, secretly promised to supply the Indians with arms and ammunition if they would renew hostilities. Their principal agent in this business was the celebrated Ralle, a French Jesuit, who had lived nearly forty years among the Indians at Norridgewock. The governor of Canada kept up a correspondence with this priest, who informed him of the movements of the Indians. The English inhabitants were alarmed by the attempts made to excite the Indians to war, and the threats thrown out by them from time to time, till at length, induced by their representations, Gov. Shute, in the year 1717, summoned a conference at Arrowsick, a well known island in the Kennebec. By dint of promises and conciliatory speeches, the storm was averted for the present. But three years after, some depredations being committed on the eastern settlements, fresh alarm spread through the province. Col. Walton of Somersworth, N. H. was sent down with a small body of men. The garrisons were also reinforced. No further mischief was done, however, that season. The next summer (1721) a conference of the French and Indians was held on Arrowsick, attended by Father Ralle, young Castine of Penobscot, son of the late Baron, and Croisil, an agent from Canada. Great numbers of Indians were present. Capt. Penhallow, commander of the English fort on the island, likewise attended; to whom a letter was delivered, addressed to Gov. Shute, in the name of the several tribes, in which they threatened to kill the English and

burn their houses, unless they removed within three weeks from the settlements, on the eastern side of the Kennebec. No other notice was taken of this menace, than to send re-inforcements, and invite another conference. But the following winter a party, commanded by Col. Thomas Westbrook, was despatched to Norridgewock to seize the Jesuit; they succeeded only in capturing a box of papers, Ralle escaping into the woods. The contents of the box afforded abundant proofs of his exertions to inflame the minds of the Indians against the English inhabitants, in favor of the French. The ensuing summer, 1722, hostilities commenced with the capture of nine families near Merrymeeting bay on the Kennebec by a party which was composed of sixty men in twenty canoes;\* no blood was shed. A few weeks after, a furious attack was made on Brunswick, where the houses were chiefly burned. On receiving this news, the Governor and Council issued a formal declaration of war, proclaiming "the Eastern Indians, with their confederates, robbers, traitors, and enemies to King George." Forces were immediately ordered to be sent into the County of York, to be stationed in garrisons; the number of men assigned to Biddeford was twenty.

Early the next year, 1723, the Indians commenced a series of cruel depredations in this part of the county, and on the frontier towns of New Hampshire. They made a sudden attack on Scarboro' in April, and killed several of the inhabitants; among them was Sergeant Chubb, whom the Indians mistook for Capt. Harmon of York, a distinguished warrior. Chubb fell pierced by no less than eleven bullets out of fifteen aimed at him. In June they attacked the garrison of Roger Deering, Esq. in the same town, killed his wife, and took three of his children, who were picking berries; two soldiers of the garrison were killed at the same time.

During this summer Mary, a daughter of Capt. Hum-

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\*The canoe of an Eastern Indian is usually of sufficient dimensions to contain a family of six or eight persons. The warriors were generally accompanied by their women and children in their hostile expeditions. There is a singular error on this subject in the late excellent edition of Winthrop. i. 59.



phry Scamman, was taken by the Indians while visiting a family connection in Scarborough. John Hunnuel and Rob. Jordan were made prisoners the same day.\* Mary, who was but eight or nine years of age at that time, was carried to Canada, where, it is said, being a bright girl, she attracted the attention of Vaudreil, the governor, who received her into his family. Here she remained several years, and was carefully educated in the Roman Catholic faith, while her father was profoundly ignorant of her situation. She was at length married to Mons. Dunincour, a gentleman of Quebec; after which event information of the lost child reached the family. Soon after the intelligence was received, Humphry Scamman, a brother of Mary, performed a journey to Quebec, through the wilderness, for the purpose of inducing her to return. He met with a kind reception from his sister, and her husband, who was a man of handsome estate and lived in splendour, as Humphry afterwards reported. He remonstrated with her on the subject of her religion, but all to no purpose; nor was she at all disposed to return with him to the place of her nativity, from which so long a residence among the French had completely weaned her affections. Several years later, 1778, Mr. Ebenezer Ayer, a connection of the family, was at Quebec, and made enquiries for Mary, but she was no longer living. Her portion of the estate of Capt. Scamman, which had

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\*The following circumstances relating to a person of the former name (Hunnwell) are told by Rev. Mr. Tilton, in a MS. account of Scarboro' "While mowing on the marsh he discovered the movements of some Indians on Blue-point. Separated from them by the river and a considerable body of marsh, he concluded he could not be in danger. He had placed his gun by a staddle [stack of hay,] and mowing at a distance from it, an Indian unperceived by him, had crossed the river, and under its bank crept up through the thatch and secured his gun. Mr. Hunnwell, at length seeing his desperate situation, continued his mowing as if he had not discovered the Indian, till he had advanced within a few yards of him, when he suddenly sprung forward with his scythe, and so roared out at the Indian that he had no command of his gun, and retreating backwards as Mr. Hunnwell advanced, stepped into a hole and fell. Mr. H cut him off with his scythe, and holding up and brandishing it in view of the Indians, who had already begun their shouts on the other side, challenged them to come over, and he would serve them in the same manner."

been set off to her, was divided at a recent period among the other heirs ; it is called the Canada lot.\*

Col. Thomas Westbrook was appointed to command the forces in Maine the same year. He came to Winter Harbor with a body of men in May, and supplied Fort Mary and the garrisons in the town with men and provisions. The fort was commanded at that time by Capt. Ward. The following extracts from the journal of Col. Westbrook, furnish an account of his operations at this place. "May 8. Arrived at Winter Harbor ; supplied Capt. Ward with provisions and other stores for his company. Lieut. Dominicus Jordan being here, supplied him with 76 days' provisions for five men posted at his garrison at Spurwink. May 9. Supplied Richard Stimpson with provisions for five men posted at his garrison for 76 days. Proceeded to visit the several garrisons in the town, accompanied by the principal part of the inhabitants, with whom I consulted the properest method to be taken for the security of the inhabitants. Returned through the woods to Mr. Samuel Jordan's. On my return gave Capt. Ward orders to post men at the several garrisons as follows : at Mr. Hill's 3 ; at Stackpole's 4 ; at Tarbox's 4 ; at Dyer's 3 ; at Capt. Sharp's 3. The men were ordered to obey the commands of the masters of the garrisons where they were posted, doing their duty of watching and warding until further order, and not to absent themselves at any time without liberty. May 10. Posted four men at John Brown's garrison at Saco Falls ; supplied him with provisions, and ammunition. Sabbath day, 12th. Rev. Mr. Eveleth preached two sermons at the Fort."

Of the garrisons mentioned in the Journal, Hill's was on Ferry lane, between the house of Capt. I. Lassell and the main road. Stackpole's was on the spot where Judge Jordan afterwards erected a house, now occupied by his son Ralph Tristram Jordan, Esq. Dyer's and Tarbox's

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\*The above account appears to be the most authentic tradition on the subject, for which we are indebted to one of the family, who has often heard Humphry Scamman relate the story of his visit to his long lost and 'wept' sister. The name of Mary's husband is pronounced *Dominicor* ; we are not certain as to its orthography.

garrisons were in the lower part of the town near the Pool. Capt. Sharpe lived on Rendezvous-point, near Haley's gut. The cellar of his house is still visible. In a disposition of other forces made the same year, it was ordered that "15 men and a sergeant be posted at Saco Falls, six of them on the east side of the river in the garrison, and the others on the west side." The garrison on the eastern side was probably that of John Brown, and appears to have been situated where the store of Mr. Jonathan King now stands. Within the recollection of persons of not very advanced age, the remains of a fortification have been seen on that spot, which was called Fort hill. The ground has been since much levelled.

Early the next year, 1724, Father Ralle and the Indian village at Norridgewock were destroyed. The fate of the Jesuit was truly tragical, but not undeserved; his influence had been used to encourage the barbarous assaults of the Norridgewocks on the defenceless settlements, in execution of the policy of the French government. The enterprise was conducted by Capts. Johnson Harmon and Jeremiah Moulton, both of York, at the head of two hundred men.

In May, the Indians after killing one man and wounding another at Cape Elizabeth, came to this place; but, the inhabitants being well secured in their garrisons, they succeeded only in taking the life of a friendly native, named David Hill. We hear of no other mischief done here during the remainder of the war, of which we can assign the exact date. Mr. John Stackpole, father of the late Deacon Stackpole, was made prisoner under the following circumstances. He was taken on the beach leading to the Neck; espying the Indians at a distance, he ran into the Pool, and attempted to wade across; but one of the party, said to have been the noted Wahwa, who was well known to Stackpole, pursued him, crying out, "*Boon quarter, John! boon quarter!*" meaning that he would spare his life. Unable to escape, Stackpole yielded himself a prisoner. The party took him to Canada, passing a winter on the way in the wilderness near the White mountains. He returned after an absence of 19 months. Nathaniel Tarbox and Thomas Haley were

killed at Winter Harbor in the course of the war; the former was quite young.

In 1725, occurred the celebrated affair of Capt. Lovell and his company with the Pequawket Indians, on the shore of a pond in Fryeburg, which now bears the name of the ill-fated hero. One of the survivors of this desperate battle, Josiah Jones, having been badly wounded, was left by his companions at a short distance from the scene of the action, in despair of his ability to return; but Jones gathering strength, succeeded in finding his way through the wilderness, subsisting on berries and roots, and arrived after several days at this place. He was wretchedly emaciated by hunger, and almost exhausted from the loss of blood, having been unable to staunch his wounds completely before he came in. "He was kindly treated," says the author of a valuable account of the battle, "by the people at Saco, and recovered of his wounds."\* The Pequawkets were never formidable as a tribe after this time; the remnant of them that remained about the head of Saco river, became pensioners on the bounty of government, and have at length sunk into total extinction. The last of the race died several years since.

In the course of the year, commissioners were sent by Mass. to Canada, to remonstrate with the governor of that province on his violation of the neutrality existing between England and France. An interview took place at the same time, by the mediation of the governor, between the commissioners and several chiefs of the Indians; the latter modestly proposed, "that if the English would demolish all their forts, and remove one mile westward of Saco river, rebuild their church at Norridge-wock and *restore to them their priest*, they would be brothers again." It is unnecessary to say that such terms were not regarded as a serious proposition for peace. A treaty was, however, made, in December, with the Penobscot and the other eastern tribes, and confirmed the follow-

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\*Rev. T. Symmes, of Bradford, Mass. See, also, Belknap. Hist. N. H. ii. 53. and a Centennial Address, commemorating the battle, delivered at Fryeburg 1825, by C. S. Daveis, Esq. of Portland.

ing summer at Falmouth, where Lieut. Gov. Dummer, the acting Governor of Mass. Bay, Messrs. Wentworth of New Hampshire, and Mascarene of Nova Scotia, with other gentlemen, met the Penobscot chief, who appeared in behalf of all the tribes.\*

This treaty was considered the most judicious that had ever been made with the Indians,† and was followed by a long cessation of hostilities. As the Penobscot chief alone was present, it was considered necessary to call another conference at the same place the succeeding year; when the sachems of the other tribes appeared, and gave their assent to the articles of the treaty. Among the persons who signed the treaty on the part of the government, we find the name of Samuel Jordan, of this town.‡ The war, which had lasted three years, was computed to have cost the Government of Mass. Bay no less than £170,000. The savages lost at least one third of their whole strength.§ The Indians were promised in the treaty to have tradinghouses established, for supplying them with goods, in exchange for furs and other commo-

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\*The Rev. Thomas Smith was then the minister of Falmouth; from whose journal, published a few years since, we extract the following notices of the negotiation of the treaty.

“July 15, 1726. The New Hampshire gentlemen came here in a brig. 16. The Mass. gentlemen came here in the evening, and lie below. 17. Sunday. The gentlemen all at meeting. In the morning the gentlemen came on shore and made considerable appearance with their drums and guns. The governor [Dummer] guarded in pomp to meeting. 22. The gentlemen spent this week entirely idle waiting for the Indians. 23. The Indians came here from Penobscot on a message to the government, and were sent away in the afternoon. —. The Lieut Gov.. with the gentlemen, sailed up the bay. 29. This morning the gentlemen returned from Arowsick [Kennebec.] The Indians to the number of 40, all of the Penobscot tribe, came in here. In the afternoon the Congress opened. August 1. There was a public dinner. 2. Several days were spent in private treaties, to pave the way for the public ratifications. 4. All private conferences were finished this day. 5. The ratification of the peace was publicly done this day in the meeting house. 6. Some affairs relating to the ratification that were left unsettled yesterday, were this day finished, and all concluded with a public dinner. 8. The N. H. gentlemen sailed. 10. This week spent in interpreting to the Indians the journal of all their actions, and in fully settling some other matters. 12. The governor and other gentlemen sailed this day for Boston. Capt. Franklin carried the Indians to St. Georges.”

†Hutch. Hist. ii. 287. ‡N. H. Hist. Coll. ii. 261. §Penhallow.

dities of their own procuring. The same promise had been made by Gov. Shute ten years before, but the General Court made no provision for its performance. This measure was now carried into effect. The General Court passed resolves, for establishing tradinghouses on the rivers St. Georges, Kennebec, and Saco. Lieut. Governor Dummer, in his speech 1727, informed the House "that he had received a pressing letter from Agam-muet, the Principal of the Arrasagunsacook Indians\* that appeared at the late treaty, that there may be a stated supply for that tribe at Winter Harbor"; and recommended that place or some other on Saco river for the purpose. The House fixed on Fort Mary, at Winter Harbor. A memorial from Capt. James Woodside, commander of Fort Mary, was presented at the same time, showing that said Fort was out of repair, "of which," says the memorial, "His Honor, the Lieut. Governor, was aware when there last summer."† The Court passed an order, empowering Capt. Samuel Jordan to attend to this subject. Capt. Woodside was the first truckmaster, or superintendent of the tradinghouse. An attempt was made to have him dismissed from the charge, as "unfit and disagreeable to the Indians," but without success.

At the winter session of the court, 1727-8, a petition was presented from John Stackpole in behalf of himself and sundry other inhabitants, against the tradinghouse being near the sea, and praying that it may be further removed from the town. The subject was referred to a committee, who reported in favor of removing the truckhouse to Salmon Falls, "8 or 9 miles above the old stone fort, on the west side of Saco river." They also recommended to erect a building 55 feet long, 27 feet wide, and nine feet stud; to be composed of square pine timber, nine inches thick, together with a storehouse for safely keeping the goods. The report was accepted. The plan was carried into effect the following season, on a spot now in Hollis,  $\frac{1}{4}$  mile below Union Falls. A sergeant with a guard of ten men was stationed there, for

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\*On the upper part of Androscoggin river. †Mass. Records.

the protection of the trade. The truckmaster received a salary of £120. A chaplain was also appointed, who probably visited the other tradinghouses. An order passed, directing the treasurer of the Province to supply goods to the amount of £800. Capt. Thomas Smith, a merchant, of Boston, was appointed truckmaster as early as 1737.\* He was father of the Falmouth minister, whose journal we have quoted. Under date July, 1739, the latter says: "The Governor lodged at my father's truckhouse this night." Again: "Dec. 21, 1740. I rode to Saco, lodged with my father at Smith's, [tavern] who was forced out of his own lodgings by vast quantities of ice, which jambed and raised the water 18 inches higher than his bedstead." There had been 'a great freshet' a few days before. The Truckhouse was on the bank of the river, and liable to be inundated. The tavern at which they lodged, was kept by Capt. Daniel Smith, who lived near the upper meetinghouse in Biddeford, where Mr. Joseph Dearbon's house now stands. Capt. Thomas Smith died, probably at his son's house in Falmouth, Feb. 18, 1742.†

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### CHAPTER III.

The Rev. Mathew Short was preaching at Winter Harbor on the re-organization of the town 1717. A petition of the inhabitants to the General Court 1720, states, that "whereas this court has been pleased for some time to allow the sum of 40*l.* a year for the support of their minister, who is likewise chaplain of his Majesty's Fort at Winter Harbor, the said allowance is still necessary, said town being poor and thin of inhabitants." The same sum was granted several years. A small grant (40 acres) from the town to Mr. Short, was laid out in 1721. He soon after removed to Easton, Mass., and died before

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\*Mass. Records.

†Journal. 33.

1731. He sold his land in Biddeford, 130 acres in all, to Rev. Thomas Foxcroft of Boston, 1726, by whom it was afterwards conveyed to Rev. Samuel Willard. The births of two children of Mathew and Margaret Short, are recorded in the town-book, viz. Mathew, 20 April, 1719; Ebenezer, 21 March, 1721. Mr. Short graduated at Harvard College, 1707.

The next minister was Rev. John Eveleth; who took his collegiate degree at Harvard 1689. He preached at Stow, Mass. 1700, and was settled there a few years after.\* Being dismissed from that place 1717, he afterwards preached at Manchester, Mass., and in 1719, came to Arundel (now Kennebunk-port.) March 4, 1723, Scamman and Hill were appointed by our townsmen "to discourse with Mr. Eveleth and the selectmen of Arundel," to know whether the consent of both parties could be attained for him to divide his services equally between Arundel and Biddeford for one year. The proposition was accepted, and the town voted him £26 for the half year. Mr. Eveleth continued to preach in this manner until 1726, when the town determined to have a whole minister. Three years after he was dismissed from Arundel, and discontinued preaching,† being somewhat advanced in years.

Mr. Eveleth was succeeded by Rev. Marston Cabot, a graduate of Harvard 1724. He came to this town 1727, but declined settling, although offered a good stipend, viz. £80 per annum, and board; and "when he should see cause to alter his condition, to keep house, then the town promises to build and give him a convenient house as a parsonage and 100 acres of land, or to give him £110, and let him provide for himself." He remained about two years, living with Capt. Samuel Jordan, who was paid £35 a year for his board. Mr. Cabot afterwards settled in Killingly, Conn.‡

In Sept. 1728, the town voted "that Mr. Moses Hale be sent to, to dispense the word of God, if to be obtained"; probably the same graduated 1722. He did not

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\*1 Mass. Hist. Coll. x. 83. †Greenleaf. Eccl. Sketches. 60.

‡Farmer. MS. letter.



come. Mr. John Moody was preaching here early the following year. At the April meeting, the trustees were ordered to pay him £20 of the town's loan money. In June, a committee composed of John Gray, Esq. H. Scamman, Capt. S. Jordan, Lieut. J. Stackpole, and J. Davis, was chosen to wait on Mr. Moody, and know whether he was willing to settle in the town. He declined the invitation, "by reason he was too young and wanted further acquaintance of learning at some college." Mr. Moody was a native of Newbury, and was subsequently, from 1730 to 1778, the minister of Newmarket, N. H. On receiving his answer, the town appointed Mr. Scamman "a messenger to treat immediately with some other minister to come and preach the word of God in this town." Three months after, Sept. 2, 1729, a committee was instructed to invite "the continuance of Mr. WILLARD to preach the gospel unto the inhabitants of this town with the same salary that has been paid to other ministers."

In January, the town voted to call Mr. Willard; the invitation was renewed in May in the following terms: "Voted that Rev. Samuel Willard shall have (if he please to accept) the sum of £110 salary, the strangers' contribution, and the town to build him a parsonage house, together with the benefit and improvement of 100 acres of parsonage land, and to board himself during his ministry. Voted that Capt. John Gray Esq., Capt. Samuel Jordan, and John Stackpole be chosen a committee to desire the Rev. Mr. Samuel Willard's answer."

The answer of Mr. Willard was as follows:—"Gentlemen—Three or four months ago you were pleased at a townmeeting to invite me to settle amongst you as your pastor or minister, and lately at another townmeeting you ratified the said call, for which I have already, and do now return you my hearty thanks. And as I understand that the majority, and indeed a great majority of you, are desirous of my being settled amongst you in the work of the ministry, so accordingly I accept your invitation upon the conditions following, or upon conditions equivalent with them; First, that the house you build be a convenient commodious house, such as is suitable to a minister to live in, and of the same dimensions that most parsonage houses are. Secondly, that you will always repair the house whenever it stands in need of reparation at your own charge. Thirdly, that you will always maintain at your own charge the fence that may be necessary to enclose the parsonage ground, both which are always done by the respective Parishes where such house and lands are. Fourthly; that

you will grant me some tract of land or money to purchase it for myself and assigns, to be wholly mine and theirs ; and I think also this is very reasonable for every minister is doubtless as desirous as any other man to leave something of his own in case he sees meet to change a single state for the other, to be possessed by his relict, or any heir, heirs or assigns. Fifthly : that you will not contract or lessen five pounds of my salary. This also I conceive to be reasonable, for you gave five pounds to me hitherto, and I suppose to the other candidates that were my predecessors, per annum, on purpose to find them an horse ; and now because I have bought an horse is it altogether consistent with equity to take away that sum ; for I suppose my horse will eat as much as [any] man's commonly speaking, and consequently he will stand in need of five pounds worth of keeping per annum as well as any other. Sixthly : That if God in his holy Providence should see good to exercise me with a continued sickness or pain, or loss of the free use of my reason and understanding so as to disable me from carrying on preaching and prayer in the house of God, I may notwithstanding have my support continued to me by you during my continuance in this town in the pastoral office. This also seems to me very reasonable, for if I spend myself and am spent amongst you, ought I not to be considered in all circumstances. Thus, Gentlemen, you see the conditions of my acceptance of the invitation. Thus you see how affirmative my answer is. As I told you I desire nothing but what I and every impartial person would think reasonable : Agur's prayer, neither poverty nor riches, but food and raiment convenient for me. Hereupon I hope God almighty will succeed my labors amongst you, that both you and I may have joy and comfort here and hereafter together. I pray God that you all may be happy in this world, but especially in the world to come. I am, Gentlemen, your sincere friend and humble servant,

SAMUEL WILLARD."

The proposals of Mr. Willard, "all and singular, were voted in the affirmative" by the town.

There is no record of a congregational CHURCH being gathered in the town before this period ; but it is probable that one existed under the ministry of Mr. Fletcher in the preceding century, as several of the inhabitants are known to have been members of churches. A short time previous to the ordination of Mr. Willard, the following individuals associated themselves together for this purpose, and constituted the First Church in Biddeford : John Gray, Samuel Jordan, Humphry Scamman, Ebenezer Hill, John Sharpe, Pendleton Fletcher, Benjamin Haley, Thomas Gilpatrick, Samuel Hinckley, Benjamin Hilton, John Tarr, Robert Whipple, Mark Shepherd. Messrs. Hill and Haley were chosen deacons. The following record of their proceedings at that time, is the only one preserved. "Friday, Aug. 14, 1730, Mr. Haley voted moderator by the brethren of the church. 1.

The ordination of Mr. Samuel Willard was voted to be the last Wednesday of September. 2. Voted to send to the churches of Falmouth, Scarborough, Wells, York, Berwick, and Weymouth. 3. Voted that Mr. Haley, Mr. Hill &c. be the signers to the letters to these churches. 4. Voted that the selectmen be desired to call a town-meeting for their concurrence."

The following is an extract from a letter written by Mr. Willard at this time, to the lady whom he married shortly after, dated,

"Biddeford, Saturday, August 15th, 1730.

"In my last Letter to you, I told you that they were quickly to have a Town Meeting here, to know whether the People would comply with the Terms that I offered them, and accordingly they did comply with them, one Person of the meeting only dissenting, two or three being neuter. And they did then appoint a Fast previous to my Ordination, which (Fast) was yesterday. The work of the day was carried on by Mr. Thompson and Mr. Jefferds, two neighboring ministers. The Brethren who are to enter into a Church Society did yesterday appoint the day of my Ordination to be the last Wednesday of next Month. I intend the week after to be at Rutland, when, I hope, to be happy with you. I exceedingly long to hear from you, especially since Col. Taylor has sent an Express down into these Parts to be careful of ourselves, because he says the Indians do appear in a threatening posture near Rutland. I pray God prevent those bloody People from war with us; and that he would protect all our exposed Towns and all exposed Persons from their Barbarities."

The ordination of Mr. Willard accordingly took place on Wednesday, Sept. 30, 1730, when a Council convened, composed of Rev. Thomas Smith of Falmouth; Rev. William Thompson of Scarboro'; Rev. Samuel Jefferds of Wells; Rev. Samuel Moody of York; Rev. Jeremiah Wise of Berwick, and Rev. Thomas Paine, of Weymouth. The sermon was preached by Mr. Paine, who took for his text Acts xxvi. 17, 18. It was soon after printed at Boston.\* The town voted to defray all the

\*Entitled "*A Sermon Preached at the Gathering of the Church at Biddeford, and Ordaining the Rev. Mr. Samuel Willard, to the Pastoral Office there. Sept. 30, 1730. With marginal notes &c. By Thomas Paine, M. A. Pastor of a Church in Weymouth. Boston: Printed for D. Henchman in Cornhil. MDCCXXXI.*" Pages, *fifty one*. It was customary for candidates for the ministry to be present on these occasions. Mr. Paine addresses this class of his hearers in the following classical style: "Make it the Matter of your most frequent, deep and awful Examination, whether you are really prepared in the great Point, before you dare engage in that sacred Work. This is a most necessary Thing for you, as happy Ministers; and if you neglect it, the idolatrous Pagans will rise up in Judgment against

expenses of the ordination. The salary of Mr. Willard, at first £110 per annum, was afterwards increased by additions from year to year, until it amounted to £175. His dwellinghouse was a few rods below where Mr. Dominicus Gillpatrick now lives; the cellar is still seen. The parsonage land was laid out there. In 1732, the town voted "that Mr. John Gordon prefer a petition in behalf of the inhabitants of the town to the Great and General Court of the Province of the Mass. Bay, that all the non-improved lands in propriety in the aforesaid township be taxed as they shall in their wisdom see meet for the ends that followeth: for building of our minister's house, and payment of the schoolmaster." The court granted a tax of  $\frac{1}{2}d.$  per acre for three years.

A meeting house was built by the town a short time previous to the settlement of Mr. Willard. In 1719, the selectmen were empowered to agree with a master builder, and to exchange common lands for a lot owned by Mr. Benj. Haley, "for the meetinghouse and a burying place, and a sufficient high way to the ministerial lot." Haley's deed to the town, (recorded in the townbook,) describes the bounds of the land as "beginning at a spring of water known by the name of a dividing line between John and Peter Henderson," whose grants are noticed above, p. 187. The dimensions of the meetinghouse were to be 35 feet length by 30 feet breadth. The

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you, and condemn you; for they believed and were careful to practise, that their Sacrifices might not be offered up by any who were not prepared for that Work. Thus *Virgil* brings in his *Aeneas* fearing to meddle with the Household gods and sacrifices; till he should purify himself for that Service; and in the mean time putting it upon his Father.

Tu, Genitor, cape sacra Manu, Patriosque Penates; &c. says he. And that formal and very solemn Prohibition related by the Poet, instructs us here,

Procul hinc, procul este Profani;

Conclamat Vates, totoque absistite Luco.

which though it be designed to warn all profane Persons from attending, in common, on the Sacrifices; yet it argues most strongly when considered with Relation to such as minister." p. 45. Mr. Paine married a cousin of our minister, a daughter of Rev. S. Treat of Conn., whose lady was a daughter of Vice-president Willard. The late Hon. Robert Treat Paine, one of the signers of the Declaration of Independence, and a judge of the Supreme Court of Mass., was their son.

building was not completed till a few years after, but was probably used during the ministry of Mr. Eveleth, as in 1723 it was voted to place a pound *near the meeting house*. The burying ground was adjacent to it, on the upper side, where the old graves are now seen unenclosed and otherwise neglected. The interior of the meeting house was mostly distributed into allotments for pews, which were sold to the highest bidder, and the proceeds appropriated towards the expense of the pulpit, the public seats in the body of the floor, and the stairs. The price of the allotments was voted, June, 1727, to be £10 each, but they were sold as follows: 1. The allotment from the men's door to the women's stairs, to H. Scamman for £18. 2. From the men's door to the men's stairs, to S. Jordan for £16. 3. The next to E. Hill, for £9. 4. The next to Justice Gray, for £7. The remainder for £7 each, to Capt. J. Sharpe, R. Edgecomb, Samuel Cole, P. Fletcher, and Lieut. J. Stackpole. A similar arrangement was made in the galleries; Sept. 1729, it was voted, "that if H. Pendexter pay to the town treasurer £6 down, he is granted to build a pew over the women's stairs, not to hinder any passing or conveniences otherwise of seats in the galleries." A. Gordon, J. Stackpole jr. J. Brooks, and J. Smith (young men) were "granted the privilege of building a seat in the front gallery, leaving sufficient room for passing into the other seats." The master builder was Benj. Haley, afterwards deacon, a grandson of Thomas Haley, the old inhabitant, who was a son in law of John West. Deacon Haley lived at Marblehead during the Indian troubles; he died of fever at Cape Breton, 1745. His descendants are numerous.

During the ministry of Mr. Willard, a period of eleven years, the population of the town continued to receive accessions from abroad, and great tranquility prevailed. There was some alarm on account of the Indians 1736, but it passed away without serious consequences. The town suffered in common with the rest of the country from the ravages of an epidemic disease, a malignant throat distemper, not before known, which began at Kingston, N. H. in May. 1735, and extended from Pemaquid

to Carolina, causing great mortality, especially among children. Mr. Smith, in his journal, under date 31 Octo. 1735, says: "We had a fast on account of the sickness, which broke out at Kingston, and which is got as far as Cape Porpoise, and carries off a great many children and young persons, and alarms the whole country." The next year it prevailed at Scarboro', and proved almost universally fatal. Nov. 4, 1738, Mr. Smith writes: *The throat distemper is still exceeding bad at Saco.* We have no means of learning what number of persons died here, the records of Mr. Willard, if any were kept by him, having perished, and tradition being likewise silent on the subject.

Complaints were made against the officers and soldiers of the Truckhouse for injuring the fisheries on the river. In 1732, the town "voted that Mr. John Gordon lay a memorial before his Excellency the Governor, and the Hon. Council, of the difficulties that the inhabitants and residents on Saco river sustain by those in the public pay of this Province by setting of nets and drifting with nets to the disturbing of the common course of the fish, and any other difficulties that are not for the honor of this Province."

The law of the Province at that period, required every town containing "fifty householders or upwards, to be constantly provided with a school master to teach children and youth to read and write." The law was enforced by a penalty of £20 for its neglect. In 1730, we find Mr. Stackpole appointed "a messenger to hire a schoolmaster, not exceeding £60. per annum." Mr. John Frost was then engaged. In 1735, the town voted to continue Mr. Isaac Townsend schoolmaster. The names of the instructors do not previously or afterwards occur in the records.

As various minor offences were punished by putting the criminal *in the stocks*, every town was required to be furnished with them, under a penalty of £5. In 1737, it was voted by the town to pay Capt. Jordan 40s. "for making the town stocks."

A number of emigrants from the north of Ireland settled in town at this period. They were descendants of

a Scotch colony that, about one century before, removed to Ireland, and displaced the native inhabitants in particular districts. In 1718, one hundred families of them landed at Boston, and twenty more at Falmouth; the former chiefly settled the town of Londonderry, N. H., the latter were dispersed into various parts of the country. Others arrived from time to time in this quarter. They were accompanied by ministers of the Presbyterian church in several instances, to which religious sect they all belonged. In 1739, there was recorded in our townbook "the request of John Treworgy, Thomas Killpatrick, Mathew Patten, Thomas Thompson, William Killpatrick, to set off those who call themselves Presbyterians from any further support to Rev. Mr. Willard;" which the town refused to grant. The following persons, who dissented from the vote to increase Mr. Willard's salary, were probably of the same order; Hector Patten, Robert Patterson, James McLellan, William Darling, Joseph Killpatrick, John Davis, Martin Jameson, Edward Rumery, Henry Pendexter, Jacob Davis, James Pratt, Abraham Townsend, R. Patterson jr.

Thomas Gillpatrick, (as the name is now written,) emigrated from the city of Colrain, a sea-port, and first settled in Wells, with a family of five sons and one daughter. He shortly after removed to this town, where he died 1762, aged eighty eight years. He had in all nine sons, some of whom settled in Wells, and all lived to have families.

Robert Patterson first came over alone, and remained a short time; in 1729, he removed his family, and settled on Rendezvous point, where he purchased a farm out of the Gibbins estate. He had two sons and two daughters. Mr. Patterson was a prominent and worthy townsman; he died 1769, at the great age of *ninety seven* years. His oldest son, John, died 1779, aged seventy; Robert 1797, aged eighty four. One of the daughters was unfortunately drowned while young; the other was married to James McLellan, and died 1802, aged *ninety two*. Mr. McLellan accompanied the Patterson family to this town. He owned the place now occupied by Capt. Marshall, and died 1785, aged seventy three. Robert Patter-

son jr. purchased five shares, each consisting of 375 acres, in the town of Belfast, Me., four of which he gave to his sons Robert, William, Nathaniel, and James, who assisted in the first settlement of that town about 1770. They all lived to an advanced age, and have numerous descendants in Belfast.

The ministry of Mr. Willard was terminated by his death, which occurred very suddenly at Eliot, then a parish of Kittery, Octo. 1741. While engaged in delivering a discourse at that place, he was attacked with a disorder in his throat, and having succeeded with some difficulty in concluding the exercises of the meeting, he returned to the house of Rev. Mr. Rogers, the minister of that parish, where he died two days after. The following notice of this afflictive event was published in the Boston Gazette of Nov. 3, 1741 :

“KITTERY, Octo. 26, 1741.

On the last Lord's Day, about two of the clock in the afternoon, died the Rev. Mr. *Samuel Willard*, Pastor of the Church in *Biddeford*, and on this day was decently interred at *Kittery*; to which Place he came on Friday last, to preach an Evening Lecture for the Rev. Mr. Rogers. He was a Grandson of the Reverend and Learned Mr. *Samuel Willard*, some time Pastor of the Old South Church in *Boston*, and Vice President of *Harvard College*. He was a Gentleman of a graceful Aspect, a sweet natural Temper, of good natural Powers and Measure of acquired Learning, in all, sanctify'd by the blessed Spirit; which abundantly qualified and prepared him for the Service of the Sanctuary. The glorious Head of the Church who so richly furnished him and employed him in this Service, has greatly improved and remarkably honoured him, as an Instrument of the late surprising Work of convincing and converting a great number of Souls in *York* and the adjacent Towns. And having finished this his glorious Work which his Master gave him to do, he died with an holy Sedateness and Composedness of Soul, and is gone to receive the Blessedness of a faithful and wise Steward to his Household here, in his immediate Presence, where there is Fulness of joy forever. The Day of his Interment the Rev. Mr. Rogers entertained a vast Auditory, in which were many of the People of *Biddeford*, who greatly lamented him; and did him Honour at his Death; with a very acceptable Discourse on *Luke*, xii. 43, 44.”

Mr. Willard was a great-grandson of Maj. Simon Willard who was one of the earliest settlers of Concord, Mass. 1635, and for the succeeding forty years is well known in the annals of the Colony. Samuel, a son of Maj. Willard, born at Concord 1740, was among the most eminent divines in New England; the minister of



Groton, afterwards of the Old South church in Boston, and acting president of Harvard Coll. for several years. His son John, father of our minister, took a collegiate degree 1690, and settled as a merchant at Kingston, Jamaica, W. I., where Samuel was born 1705. The latter was early sent to Boston to be educated under the care of his uncle, Josiah Willard, secretary of the Colony, and graduated at Har. Coll. 1723; when he returned to Kingston with the intention of fixing his residence on the island. But he was so much shocked by the licentiousness and irreligion which prevailed there, that he came back to New England, and soon after commenced the study of divinity. Directly on his settlement at this place he married Abigail, daughter of Mr. Samuel Wright, of Rutland, Mass., previously of Sudbury. Their children were the following: Samuel, who died in childhood; John, b. 28 Jan. 1733; William, b. Dec. 1734; Abigail, died in infancy; Joseph, b. 29 Dec. 1738; and Eunice, b. 1741. On the death of Mr. Willard, the town voted £20 to his widow, to purchase a mourning dress, and £15 for a further donation. She was again married, Nov. 13, 1744, to Rev. Richard Elvins, minister of the second parish in Scarboro', who proved an excellent father to her promising children, yet of a tender age.

John, the oldest son, was placed under the care of Secretary Willard of Boston, who sent him to College; he graduated 1751, and became the minister of Stafford, Conn., where he died 1807. He received the degree of D. D. William learned a trade at Lancaster, and settled in Petersham, where he was a deacon of the church, and lived to a good old age. Joseph, who was not three years old when his father died, continued in his mother's family at Scarboro' for several years. While young, he intended to follow the sea, and even went one or two short voyages; but the last, a trip to Halifax, was attended with so much fatigue and danger, that he relinquished the design. The master of the vessel was pleased with his activity, and remarked to his mother, that it was owing to the exertions of Joseph, and his great firmness of mind, that the vessel was saved. After this he turned his attention to study under the direction of Mr. Elvins, who

took great pleasure in instructing him. So well convinced was the latter that Joseph possessed talents of a high order, that he applied to the celebrated Mr. Moody, of Dummer Academy, to take him under his care ; by whom he was prepared for college within the short time of eleven months. He graduated at Harvard 1765. Of his future eminence, as a divine, and as the President of the University, it is unnecessary for us to speak. He died Sept. 25, 1804. Eunice, the youngest child of our minister, married Rev. Benjamin Chadwick, the successor of Mr. Elvins in the second parish of Scarboro'. This excellent lady has recently died at Scarboro', Feb. 11, 1830.

Two years after the death of Mr. Willard a small volume was published at Boston, containing a sermon preached by him only a few weeks before his decease, at the ordination of Rev. John Hovey in Arundel ; and a funeral discourse, "occasioned by the much lamented death of Rev. Mr. Willard," delivered at Biddeford by Rev. Wm. Thompson of Scarboro' ; to which is prefixed a sketch of his character by Rev. Thomas Prentice, of Charlestown. The latter says : "Mr. Willard and I went to the eastward, and were settled in the ministry there about the same time, and in next neighbour towns [the writer at Arundel] : soon after which we contracted a most intimate friendship, which continued without interruption to his death ; and a most agreeable and most faithful friend I ever found him. He was a man of good natural powers, and for his years and advantages, had made very considerable improvement in useful knowledge, especially in divinity, which, as it was his profession, so was it his favorite study, and which he himself frequently declared, was of all others the most delightful to him. \* \* \* He was a man of eminent piety, and a close walk with God, in his more retired life ; as I had opportunity to observe by being much with him and often at his house. In his family he was very exemplary, not only for his kind and compassionate behaviour (which was extraordinary,) but also for the great fervor of devotion with which he was wont there to perform the exercises of piety and religion. \* \* \* In his ministry he was diligent and faithful. He took much pains in his pastoral visits, in praying with, and

instructing his people, in a private way. And in his public performances he was very serious and solemn, very earnest and importunate, both with God and men. But this excellent servant of Christ lived for several years much unobserved. His excessive modesty, with some difficulty in his worldly circumstances, concealed him much from public view. \* \* \* And as his life was very useful, so 'tis thought his death was the means of much good to many souls: For not only were many in other towns much affected with it, but also the people of his own charge were wonderfully moved with the tidings of it; and from that time, as I am informed, there began a reformation among them, which hath since been as remarkable perhaps, as in any other town in the Province, of the bigness of it: So that a gentleman in that part of the country observed to me, that Mr. Willard, like Samson, slew more, meaning as to their carnal confidences, at his death than in his life."\*

During the short ministry of Mr. Willard, the Church was in a flourishing condition. Beside those whose names have been mentioned as the original members, sixty three persons were admitted to full communion, viz. 24 males, and 39 females. The names of the former are the following: Samuel Scamman, Nathan Whitney, Robert Edgecomb, Rishworth Jordan, Benjamin Hill, John Smith, John Smith, Andrew Stackpole, Abiel Hill, Daniel Smith, Benj. Nichols, John Treworgy, James Clarke, Samuel Scamman jr. Wyat Moore, Moses Wadlin, Thos. Emery, Nathaniel Whitney, jr., John Stackpole jr., John Murch, Joseph Gordon, Edward Chapman, Magnus Ridlon, Ephraim Stimpson.

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\*The grave of Mr. Willard is in a field near the meetinghouse in Eliot, as tradition reports, but without the simplest monument to tell the precise spot where 'the good man' lies.

## CHAPTER IV.

The pulpit was supplied, after the death of Mr. Willard, by Rev. Woodbridge Odlin of Exeter, and Nicholas Hodge of Newbury, until April 1742. A committee, (composed of Capt. J. Gray, Capt. S. Jordan, and Deacon Hill,) being then appointed to obtain a minister, engaged Mr. MOSES MORRILL, a candidate for settlement. This gentleman was a native of Salisbury, Mass. and graduated at Harvard College 1737, at the early age of fifteen years. Notwithstanding his extreme youth, the town in June, gave him an invitation "to settle amongst them in the work of the gospel ministry," offering a salary of £200, *old tenor*,\* the avails of the contribution, and a parsonage. The committee to communicate these terms were, B. Haley, P. Fletcher, J. Davis, A. Townsend, Jas. Clarke, Thos. Emery, and R. Brooks. Some modification of them was afterwards made, when, August 9, Mr. Morrill signified his acceptance of the invitation. On the same day, the Church voted to receive him as their pastor. The ordination took place Sept. 29, 1742; there is no record of the churches that assisted on the occasion. Capt. Gray was subsequently allowed £6 13s. *old tenor*, "for entertaining the messengers and scholars at the ordination of Rev. Mr. Morrill." The town purchased the house and land of Mr. Henry Pendexter for a parsonage; the land extended back a mile and a half from the river. The house stood about one mile above the present lower meetinghouse, and nearly the same distance below the Falls.

Dr. Watts's Hymns were introduced into town at this time, to be used on particular occasions; the church voted, a few years after the ordination, that they "should be sung at the sacrament, in conjunction with the Psalms of David, at the discretion of the Pastor." Simon Wingate was chosen deacon 1745, in place of Deac. Haley, deceased. In 1749, Samuel Scamman jr. was chosen in

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\*45s. or £2 5s. *old tenor*, were equivalent to *one dollar*. A copper was worth 5d.

place of Deac. Hill, but declined the office, when Moses Wadlin was chosen and accepted. In 1754, John Stackpole jr. was chosen in place of Deac. Wadlin. The same year, the church appointed a committee "to take care of Mr. Baxter's Practical Works, given to the church by the Hon. Samuel Holden, Esq. of London." This gentleman was a wealthy English dissenter, well known for his charities in New England. He sent over to Dr. Colman of Boston, thirty nine sets of Baxter's Works, each set consisting of four massive folio volumes, to be distributed among the churches. It was his direction that one volume be kept in or near the house of worship, for the use of the people on the sabbath; and that the others be lent to the inhabitants of the town, and to neighboring ministers.\* A further innovation was made in regard to the singing on religious occasions, March 23, 1765, when the following vote was passed: "The Church met after Lecture, and voted that Dr. Watts's Sacramental Hymns should be sung for the future at the Sacrament of the Lord's Supper, and that his version of the Psalms be sung at Lecture."

About the time of Mr. Morrill's settlement, there was a great religious excitement throughout New England, occasioned by the preaching of the celebrated Whitefield, many clergymen favoring, and others opposing, the somewhat irregular effects produced by it. Mr. Morrill was of the former class. Whitefield came into this quarter towards the close of 1744; we hear of him in Biddeford early the following year. In March, he preached several times for Mr. Morrill, and in the neighboring towns. It appears from the Journal of Mr. Smith, that there was much opposition to him by a considerable portion of the people.

The winter succeeding the settlement of Mr. Morrill, Dec. 20, 1742, died Capt. Samuel Jordan, aged fifty eight years. No other individual, probably, had done more to promote the growth and prosperity of the town, than Capt. Jordan. He appears to have been a man of great enterprise, and was extensively engaged in business

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\*Allen. Biog. Dict. Art. Holden. Allen. Hist. Chelmsford. 45.

for many years. He had a store near his house at the Pool, to which the inhabitants far and wide were in the habit of resorting for their supplies. His house was more strongly fortified and secured against the Indians than any other in town, being encompassed by a stone wall of great solidity, the remains of which are still seen. In time of peace, the Indians were often there, and on one occasion they silently crept into the house in the night with hostile intentions, but the Captain coolly giving notice of their presence to a person in a remote part of the house, directing him where to find a gun, was soon rid of the troublesome, but cowardly visitors. While a young man he had fallen into the hands of the enemy, and was detained in captivity several years. At the conference of Gov. Shute with the tribes on Arrowsick, 1717, Captain Jordan was employed as interpreter. The Indians requested "that in future Interpreter Jordan might be near them to represent to the Governor any thing that might happen," to which the governor replied, *that he desired no better man.\**

Capt. Jordan married Olive Plaisted of Berwick; their children, born 1719-33, were, Rishworth, Olive, Sarah, Hannah, Samuel, Tristram, and Mary. Olive married Rev. Ivory Hovey, 1739, who was ordained at Rochester, Mass. the following year. He obtained a dismissal from that place 1765, and was soon after installed over a parish in Plymouth, where he continued to preach until a few days before his death, 4 Nov. 1803. His wife survived him a few months. Mr. Hovey preached sixty five years, and during that time kept a religious journal, which, at the time of his death, contained about *seven thousand* octavo pages in short hand.† Sarah, second daughter of Capt. Jordan, married Rev. Samuel Hill, 1739, a classmate of Mr. Hovey, and settled at Marshfield, near Plymouth. In 1752, Mr. Hill's connexion with the church at that place was dissolved, and he, with

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\*The official account of this Conference is reprinted. N. H. Hist. Coll. ii. 254. The circumstances related by Sullivan, p. 227, occurred at Cape Elizabeth, where Dominicus resided.

†See an interesting memoir of Mr. Hovey, Alden. Coll. Epitaphs. i. 239. Mass. Missionary Magazine iii. 20. He graduated at Harvard College 1735.

his wife, was received into the church in this town. He resided sometime in the house of his late father in law, and was chosen representative of the town 1754. His wife died 1756, and, two years after, he married Elizabeth Shapleigh of Kittery. Hannah, third daughter of Capt. Jordan, was married to Rev. Moses Morrill, 1 Dec. 1743. Mary, the youngest daughter, was married to Capt. Philip Goldthwait of Boston, about 1758. Capt. G. removed to Winter Harbor, where he resided until the Revolutionary war, when he left the country. His wife lived but a short time after their marriage. Mrs. Olive, the widow of Capt. Jordan, was married to Rev. Thomas Smith of Falmouth, 1744; she died 3 Jan. 1763.

Deacon Ebenezer Hill died 1748, aged 69 years. His children were, Ebenezer, Dorothy, Susanna, Benjamin, Lydia, Joshua, and Jeremiah. Susanna was married to Thomas Emery, 1731; Lydia to deacon Simon Wingate, 1736. Jeremiah married Mary, daughter of Capt. Daniel Smith, 1746; the late Jeremiah Hill, Esq. was their oldest son. Jere. Hill, sen. held a commission of justice of the peace, and was several years representative of the town in the Gen. Court; he died Aug. 12, 1779, aged fifty six.

John Gray, Esq. the commander of Fort Mary 1720, married soon after he came to Winter Harbor, Mrs. Elizabeth Tarbox; their children were three daughters, Elizabeth, Mary, and Olive. Elizabeth was married to Ezekiel Cushing, Esq. of Falmouth, 1745; Olive to Nathan Woodman, Esq. of Newbury, afterwards of Buxton, 1749; Mary to James Staples of Biddeford, 1755. The late Abner Sawyer, sen. married Mary, a daughter of James and Mary Staples, 1779. Capt. Gray was "a son of Joseph Gray, citizen and salter of London, by occupation a linen draper in that city," according to a memorandum recorded in the town book; he died 1755.

Pendleton Fletcher, "being nearly past labor," conveyed his property to his sons, 1746; their names were, John, Joseph, Brian, Pendleton, Seth, and Samuel. His son Pendleton died on the Neck, 17 April, 1807, in the *one hundredth* year of his age. Mr. Fletcher sold  $\frac{1}{2}$  of

the Neck, of Wood island, &c. for £1400, *lawful*, to Batchelor Hussey of Sherburne, Nantucket, 1737. Mr. Hussey was of the society of Friends ; he was a descendant of Christopher Hussey, who came to New England from the town of Dorking, near London, 1634, and settled at Lynn, Mass. Christopher married Theodata, daughter of Rev. Stephen Batchelor, and left two sons, Stephen and John, the former of whom lived at Nantucket, where he died 1718, aged eighty eight. Batchelor Hussey, the year after his purchase, 1738, built the house on Fletcher's Neck, now occupied by his grandson, friend Christopher.

Capt. Daniel Smith was among the earliest settlers in the town the last century. He came from Exeter, and married after his removal, 1719, Rebecca Emery, by whom he had ten children. He died about 1750. His widow married Mr. Nathaniel Ladd 1755, an officer of the English army, who settled in town after his marriage, and continued the public house kept by Capt. Smith. Lieut. Ladd is said to have been a native of Exeter, N. H. ; he died 1776. Madam Ladd (as she was styled) survived her second husband ten years, and died at the age of eighty eight, having had 144 descendants, including four great great grand children. Her daughter Rebecca married Dominicus Scamman, second son of Capt. Humphry, the partner of Pepperell and Weare, 1741. Lydia, another daughter, married Benjamin Hooper, Esq. 1744 ; Mary, third daughter, married J. Hill, as already stated.

Samuel Scamman while living at Kittery, about 1712, married Margery Deering ; their children were three sons, Samuel, John, and Ebenezer. Mr. Scamman lived on the eastern side of the river, half a mile above the lower ferry, (opposite Ephraim Ridlon,) but after the death of his wife, (1740, at the age of 51,) he resided with his son Samuel, who built a house with a garrison about that time where Mr. Stephen Sawyer now lives. There was no house above for many years. The other sons occupied the old homestead. Mr. Scamman died 1752, aged fifty eight ; his son Samuel six years after, aged forty five. The latter married Mehitable Hinkley



of New Meadows (Brunswick) 1736;\* their children were, Samuel, (late deacon,) Isaac, Freeman, Mary, Elizabeth, Mehitable, Sarah, and Rachel. The widow of Mr. John Scamman married a second husband, and removed with her children, one son, Daniel, and two daughters, to Mount Desert, where their descendants are now found.

On the declaration of war by the English government against France, 31 March, 1744, the news of which reached our inhabitants May 19, defensive preparations began instantly to be made throughout the eastern towns, the savages being still regarded as under the influence of the French. Sunday, May 20, the people of Falmouth and North Yarmouth, as it appears from the Journal of Mr. Smith, were at work upon their garrisons, and many even feared to attend meeting. "All the talk and thoughts," he writes a few days after, "are about war. People are every where garrisoning." A slight shock of an earthquake was felt June 3, which added to the terror and alarm already excited. A public fast was observed on Thursday, 28 June, "on account of the war and the earthquake." The military peace establishment of Mass. consisted at that time of 114 men, of whom forty eight were stationed in the county of York, viz. at Richmond Fort, on the Kennebec, 10; at Brunswick Fort 6; at Pemaquid Fort 6; at St. Georges (near Penobscot bay) 13; and at the truckhouse on Saco river 13. Five hundred men were immediately impressed into the service, three hundred of whom were sent to the eastward. The truckhouse was reinforced by twenty of the number, and the remainder were distributed into other parts of the county. The 'fencible men,' or militia, of Maine, consisted of two regiments, containing 3105 men, one of which, commanded by Col. Pepperell, afterwards Sir William, was formed by the western towns in the following proportion: Kittery 450, York 350, Arundel 95,

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\*The Hinkleys were from the old Colony of Plymouth, (tradition) where Thomas Hinkley was an Assistant or Counsellor, 1658, and after. Two brothers of Mrs. Scamman were slain by the Indians at New Meadows, one of them 1747. *Smith's Journal*. 46. *N. E. Memorial*.

Biddeford 120, Berwick 150, Phillipston (Sandford) 150. The other, under the command of Col. Samuel Waldo of Falmouth, was formed as follows: Scarboro' 160, Falmouth 500, North Yarmouth 150, Brunswick 50, Sagadahock, (Georgetown, &c.) 370, New Marblehead (Windham,) 40, Narraganset, No. 1. (Buxton) 20.\*

In July, Commissioners were sent to treat with the Penobscot Indians, who obtained from them a solemn promise that they would remain at peace. So great confidence was reposed in their sincerity, that before winter all the forces sent into the county, were dismissed, excepting one travelling company, in which were enlisted three Saco Indians, whose families, says Mr. Smith, were settled at Stroudwater, and provided for by government. The year closed without realizing the fears of the inhabitants.

Beside repairing the old garrisons in town, the inhabitants erected several new ones at this time. In August, the town voted "to build a frame garrison about the parsonage house with what was granted by the Province, to be sixty feet square, and to plank it up with two inch plank, and to build two flankers, the one of fifteen, the other ten feet square." At Winter Harbor, near the seashore, four houses, situated on a square, were strongly garrisoned, and occupied by a number of families. P. Fortune now lives at the place. An old lady, a daughter of deacon Stackpole, has informed us that her father removed to this garrison at the period in question. The public house of Capt. D. Smith, was secured by a brick wall on the inside, with flankers at each end. On the eastern side, there was the garrison on Fort hill (where Mr. King's store is,) which was large enough to accommodate several families; Mr. Gray's house was also garrisoned, and the house of Magnus Ridlon on Rendezvous point, where Capt. Sharp had lived.†

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\*The Government of Mass. Bay rewarded the forces engaged in the destruction of the Narraganset Indians 1675-6, by a donation of seven townships, which were allotted among the survivors and the heirs of the deceased soldiers, nearly fifty years after the war. Two of the townships were in Maine, Nos. 1 and 7, now Buxton and Gorham. The others were located in Mass and N. Hampshire.

†The name Rendezvous was early applied to the Point, from the

Early in 1745, the celebrated expedition against Cape Breton, under the command of Pepperell, with the commission of Lieut. General, took place. The following persons are all of our inhabitants engaged in it, whose names are remembered : Dea. Benj. Haley, Benj. Scamman, Nath. Scamman, Andrew Stackpole, Roger Smith, Jonathan Smith, Haven Tarbox, Benj. Mason.

The same year, July 19, Capt. Thomas Bradbury, who commanded the truckhouse, or *blockhouse*, as it was now termed, sent an express to Falmouth, "advising," says Mr. Smith, "of the Indians breaking out and killing a man and forty cattle, and burning a garrison and sawmill." The next month the government declared war against the Indians. Before the close of the year, several lives were lost, and other ravages committed in the new settlements below Falmouth. Many volunteer parties went in pursuit of the enemy, receiving from government a bounty of £400 for the scalp of an Indian.

In the summer of 1746, a scout of the enemy prowled around the settlements in the neighborhood of Falmouth and of this town. On the morning of Sept. 6, two young men, sons of Mr. Joseph Gordon, named Pike and Joseph, were surprised by them while on the way from their father's house, (near where Benjamin Gordon now lives,) to the Falls. They were employed in the Cole mill, and left home between daylight and sunrise to go to their work ; as they were passing a blacksmith's shop, which stood a few rods below the house of Capt. James Murch, the Indians rushed from behind it into the road ; the young men turned and ran. Joseph, who was very swift of foot, was likely to escape, and called out to his brother to quicken his pace, when the savages fearing they should lose him, fired and killed him on the spot. Pike was taken by a part of the scout who lay concealed further down the road, and was carried to Canada. The Indians retreated at first into a swamp not far from

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circumstance that it was a favorite resort of the Indians at particular seasons of the year. There was a garrison on it 1690, as it appears by the following extract from an account of the soldiers stationed in the towns at that time ; "Saco, alias Randovous garrison, *Philip Foxwell* captain, six soldiers." *Mass. Files. Communicated by J. Coffin.*

the road, taking with them the body of Joseph, where, it is said, they secreted themselves all the day, notwithstanding the inhabitants turned out, and made a diligent search for the young men. Capt. Bradbury received the alarm, and came down from the blockhouse with part of his men. Seven weeks after, the remains of the young man were found, and conveyed the first certain information of his melancholy fate to the afflicted family. A letter was afterwards received from Pike at Quebec, giving an account of his capture; he died in that city the same winter, Dec. 6. It is related that young Gordon enforced the respect of the savages, on the route to Canada, by his fearless deportment. There were other prisoners in the party, all of whom the Indians treated with great indignity as well as cruelty. Their food was generally inferior to that of their masters, as they were not allowed to eat with them. It was on an occasion of this sort that Gordon discovered a resolution which surprised them; having killed a wild animal, they reserved for their own use the parts suitable for food, and threw the remainder to the prisoners. Pike, not relishing this treatment, made his way unbidden into their circle, and with his knife carved off a piece of the meat, which he ate. The savages were amazed, and cast on the rash intruder fierce and threatening looks; but he, wholly unmoved, continued to help himself with great coolness and determination. Resentment was soon changed to admiration of a courage so unusual among their captives, and Pike thenceforth was admitted to their mess.\*

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\*A sort of monody on the death of these youths was composed, it is said, by a young woman to whom Joseph was engaged to be married. The verses are somewhat in the simple, unpolished style of the *Bay Psalm Book*, which was, perhaps, the model of the fair writer. We give a part, not having room for the whole.

“The sixth day of September,  
a mighty blast there fell,  
Upon the town of Biddeford,  
as is known very well.

There was two promising likely youths  
most quickly snatched away,

The next year, the savages were quiet until April 13, when they appeared in Scarboro', and Nathaniel Dresser, a young man, was killed. While at work in a field at some distance from the garrison on Scottow's hill, young Dresser discovered an Indian approaching, and fled for the garrison. It is doubted whether the Indian at first intended to kill him, but finding that he outstrip-

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As they were walking in the street ;  
how soon they're took away !  
One of them presently was slain,  
the other to the woods  
Was by those heathen led away,  
but where none understood.  
A poor desolate captive soul,  
he's led in the wilderness  
With leanness sent into his soul,  
by hunger and thirstiness.  
It is the hand of God ! and we  
acknowledge it had need,  
Lest any murmuring thought  
out of our hearts proceed.  
Altho your hopeful son is dead  
yet he's but laid to sleep,  
I trust he'll rise at the great day  
most holy and most sweet.  
Though seven weeks upon the ground  
his body it did lie,  
He's nothing worse at all for that  
if he's in heaven on high.  
There's few young men were like to him,  
who shunn'd all sinfulness,  
For he in time did serve the Lord,  
with fear and reverence.  
No songs nor dances nor no plays,  
that ever he did mind,  
His heart was set on things above  
to which he was inclin'd.  
The sabbath day he did not break  
as many others do,  
But in the fear of God did walk,  
and in his law did go.  
Oh blest is every youthful one,  
that doth his footsteps take !" &c

ped himself in running, he rested his gun against the corner of a barn, and shot him within a few yards of the garrison. The leaps of this young man in his flight are said to have measured twelve feet.\*

A few days after, 17 April, Mr. Nathaniel Eliot and his son who lived at the Falls, on the western side of the river, were attacked in a field a short distance below the present lower meetinghouse in Biddeford. Mr. William Murch dwelt at that time nearly where his grandson, Capt. Wm. Murch's house now stands, on the road leading to Kennebunk-port, which was not then laid out; there was, however, a private way from the Pool road to Murch's house. The Eliots were returning on this path with a load of hay, which they had obtained of Murch, when the Indians fired upon them and instantly killed the old man. The son, it is said, might have escaped, but exasperated by the fall of his father, he levelled and discharged his gun at the enemy, and then took to flight; he had not run far when another fire brought him to the ground. The bodies of the unfortunate persons were afterwards found on the spot where they fell, and decently buried. The savages proceeded to Murch's, and took him prisoner, near his barn, when they decamped without committing any further injury. They carried Mr. Murch to Canada by the route of the White Hills, whence he returned the following season. So bent on mischief were these Indians, that they cut out the tongues of Murch's cattle. A daughter of the late deacon Wingate relates, that Mr. Morrill, and his brother in law, Rev. S. Hill, were riding that day towards the lower part of the town, when they heard the guns and soon after discovered the Indians at a distance. Putting spurs to their horses, they barely escaped to the parsonage house, which was well secured against an assault. Our informant (who was then five or six years of age) recollects that her father came hastily into the house, exclaiming, *There must be mischief done, for Parson Morrill is running his horse!* The same day the deacon removed his family to the garrison of deacon Hill, which was protected by a high stockade with

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\*Rev. Mr. Tilton, MS. notes.

flankers. A watch was kept in the flankers to prevent a surprise. The inhabitants placed much reliance in the sagacity of dogs for discovering the enemy ; and were often put on their guard by this faithful animal.

Capt. John Davis was ordered by government to recruit forces in the town for its defence, and enlisted a number of the inhabitants ; whereupon a petition was forwarded to the Gen. Court, praying "that the inhabitants might be dismissed from the service, and the like number of impressed soldiers be sent in their room." Davis resented the interference of the petitioners, accusing them of forming a 'plot or conspiracy' against himself, as the petition was sent without his knowledge ; but they contended that the enlistment of inhabitants was injurious to the town, and that the object of the petition was simply to remove the evil.

Peace took place in Europe 1748, and the year following a treaty was made with the Indians at Falmouth, when they engaged "to cease and forbear all acts of hostility towards all the subjects of the crown of Great Britain." The commissioners on the part of the government, (appointed by Lieut. Gov. Spencer Phips, in the absence of Gov. Shirley, who had gone to England,) were, Thomas Hutchinson, John Choate, Israel Williams, and James Otis. On the part of the Indians, the treaty was signed and sealed by six representatives of the Anasaguntacooks and Wewenocks, eight of the Norridgewocks, and five of the Penobscots. The former tribes inhabited about the waters of the Androscoggin and Sheepscot.

The town never afterwards suffered from the depredations of the Indians, altho' hardly one year elapsed before the more eastern settlements were again invaded by the treacherous enemy. In the subsequent war with France, from 1756 to 1763, which resulted in the overthrow of French power and influence in America, the Penobscots alone refused to join their ancient allies ; the other tribes, leagued with the Canadian Indians, continued to harrass the frontier towns. The island of Cape Breton, which was restored to France 1749, again yielded to the English arms 1758. Great rejoicings throughout the Pro-

vince followed the news of this triumph. Some of our inhabitants illuminated their houses on the occasion. The next year Quebec was taken, and in 1760 the English were masters of all Canada. Indian hostilities finally ceased in New England with the reduction of the French provinces ; and the settlements in Maine, whose advance in wealth and population had been so materially impeded by the long series of desolating wars, began from this date to enjoy a good degree of prosperity. In 1750 they contained only 10,000 inhabitants ; and ten years later the number was probably rather diminished than increased ; in 1790, the population was 96,540.

Capt. Bradbury, the commander of the blockhouse during the war, removed to Biddeford after its termination, having purchased a tract of land above the Falls, of which the estate of Mr. Dominicus Cutts now forms a part. He built a house, with a garrison, at that place, and a sawmill on the brook, but removed a few years after to Buxton. Mr. Jacob Bradbury, his brother, settled in Biddeford about the same time ; they came from Salisbury, Mass. Mr. Chrisp Bradbury, who was of a different branch of the same family, settled in York, removed to this town as early as 1740. Capt. Jonathan Bean of York, (a son of Capt. Lewis Bean, before noticed,) succeeded Bradbury in the command of the blockhouse ; his son likewise was lieutenant of the company stationed there. The establishment continued to be kept up until 1759, when the soldiers were disbanded, and the cannon, of which there were several small pieces, were transferred to Castle William in Boston harbor. The blockhouse was not designed for the defence of the inhabitants, but as a storehouse for supplying the Indians with goods, at a fair price, in time of peace ; it was, however, used for the former purpose. The principal building was enclosed by a strong picket wall with flankers, leaving sufficient space within the premises for a house to contain the stores, and for a parade ground. No remains of the buildings, except the foundation, are now visible.\*

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\*A son of Lieutenant Bean still lives at a short distance from the spot, where he was born before the removal of the forces. It is sta-



In 1750, the settlement on the western side of the Falls appears to have become the most considerable in town. The three sawmills (the Gooch, Cole, and Lower) gave employment to many individuals, who were settled in that vicinity. A ferry had been established several years before just below the present lower bridges. It was kept on the western side by Elisha Allen, who traded, and entertained travellers in a small one story house; he afterwards built, at the same place, the house now occupied by Capt. Samuel White, where he lived until about the close of the revolutionary war.\* A few

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ted by Sullivan, p. 265, that Rev. Ammi R. Cutter, who had been a minister at N. Yarmouth, was subsequently commander of the truckhouse on Saco river. He held the situation but a short time, having succeeded Capt. Smith. There is in our records a copy of a note from him to the townclerk, informing of an estray, dated "Biddeford, Dec. 3, 1743," written, probably, from the truckhouse.

\*Mr. Allen purchased, in 1750, the following described tract of land, of which the upper bounds were near his house: "A tract or parcel of land being and lying on Saco river where the tide ebbs and floweth, the breadth of it being 137 poles upon a southeast and northwest line, taking in all the coves upon the tide river and so to low water mark, with all the privileges of fishing and fowling, hawking and hunting, appertaining to the patent: and to begin at a little fall [*the ripples,*] being on the outside thereof on the side of it, a little above the old dwellinghouse, and so from thence to go down unto the river by a little brook, which is about twelve poles from the rock unto the river, and from that rock to begin upon a southwest line and to run four miles in length southwest, which is the breadth of the patent, and continues its breadth of 137 poles the whole four miles in all places, the southeast marked tree bounding or adjoining the land of Zachary Gillam and Ephraim Turner," &c.

This land was conveyed by Maj. Phillips to William Hutchinson, 1673; whose heir, Eliakim Hutchinson Esq. of Boston, sold it to Allen for £1200. The latter immediately after conveyed a breadth of 45 rods on the southeast side to Thos. Gillpatrick, jr., and the same extent next above to Benj. Nason. It thus appears that the land sold by Phillips to Hobbs 1673, which was bounded on the northwest by *Davis's brook*, was situated in some other part of the patent, and that the brook so called by the Phillips heirs 1718, (see p. 207) was not the same mentioned in the deed to Hobbs. The latter seems to have been the brook now called *Dungeon creek*, near which Deacon Wingate lived, who bought out one of the Hobbs heirs, Elizabeth Vinning, of Salem.

Allen conveyed the remainder of his purchase several years later to Col. John Tyng, merchant, of Boston, afterwards of Tyngsboro', Mass., who retained the property until his death 1797. The tract purchased by the Jordans and Poak 1742, lay next below the land of

rods above Allen, lived Joshua Warren, and above him, Benj. Hooper, Esq., who subsequently built the house now Capt. Samuel Emery's. William Dyer and Obed Emery were situated on the opposite side of the road, where the late Jeremiah Hill, Esq. (a son in law of Mr. Emery,) resided. Hooper and Emery were from Berwick, and settled in town about 1740. In the vicinity of the mill brow were William Cole, son of Samuel Cole, the original proprietor of the mill that still bears his name; John Gray, a son of Robert, and Theophilus Smith, son of Capt. Daniel, who were the principal millmen. Mr. William Cole died 1754, at the age of thirty six, leaving four sons and one daughter, viz. William, Jeremiah, Olive, Benjamin, and Nathaniel. The daughter was married to Mr. Lemuel Foss, 1761. Mr. John Gray possessed a valuable estate in the vicinity of the Falls. He married a daughter of Matthew Patten 1743. The house in which he last lived still remains, near the mill brow. He built another for his son in law, Mr. David King, (a brother of the late Rich. King, Esq. of Scarboro',) at the place called 'King's Corner,' a short distance above the upper meetinghouse. Mr. Rob. Gray had two other sons, James and Robert. The latter purchased the interest of James Clark, in the vicinity of the lower meetinghouse in Biddeford, where he afterwards lived.

A respectable number of families settled in the neighborhood of Clarke's, formerly Smith's, brook, early this century. The land of John Smith, which he conveyed to Nicholas Bully 1652, as already stated in the former part of our inquiries, after passing through the hands of various proprietors, was divided, in 1737, among the following persons: Thos. Emery, James Clarke, Edw. Proctor, Wyatt Moore, and John Murch, all of whom were then settled on or near the premises. This right, however, was but a small part of what was taken up in that vicinity, and is only referred to as an ancient and interes-

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William Hutchinson, and consisted of two lots, one containing 500, the other 400 acres. The reader is desired to make the necessary correction, p. 209.

ting title. The "neck of land called CHURCH POINT," a boundary of Smith's land in the deed of 1642, on the north side of the brook, is still known under that name, though more commonly called Gray's point, from the late proprietor. Tradition says that the first house of worship stood there; and as the name savours of episcopacy, the church was probably erected by the earliest colonists. A collection of graves, evidently of great antiquity, is seen on the Point; and, altho' at some distance from the principal settlement of the colonists, the beauty of the spot, (a circumstance more regarded in early than later times,) and the name which it bore several years prior to the erection of the meetinghouse of 1666,\* lead us to the conclusion that Church Point was selected by Vines and his associates for the public purposes of religious service and burial.

Thomas Emery built about the year 1730, a house now a part of that occupied by the widow of his son, the late Ebenezer Emery, next below the lower meetinghouse, and in the vicinity of Church Point. The marriage of Mr. Emery to a daughter of deacon Hill 1731, has been mentioned. Their children were; James, late deacon, Jonah, Joshua, Ebenezer, Thomas and Nathaniel. There were several families of this name in town at that time; on a tax list of 1738, for the support of Mr. Willard, we find the following names and assessments: Benj. Emery, £1 5s. 2d.; Thomas Emery £1 4s. 3d.; Jonathan Emery, 13s. 2d.; John Emery 10s. 4d. Mr. B. Emery, was living 1750, in the upper part of the town, in the neighborhood of Capt. Thomas Bradbury, but how early he settled there we are not informed.

James Clarke lived on the brook which bears his name. In 1732, the town directed the treasurer to pay him "£13 for planking the bridge near his house, as soon as money comes to the treasurer by taxing the unimproved land." Clarke was taxed for the support of the minister 1738, £1 4s. 2d. Edward Proctor £1 4s. 2d.

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\*It is difficult to decide where this house, described as near "Powder (salt) beef tree," was situated, no additional light having been thrown upon the subject in the progress of our inquiries.

Wyatt Moore, 12*s.* 10*d.* John Murch, 13*s.* 8*d.* Matthew Patten, £1 6*s.* 4*d.* Simon Wingate, (afterwards deacon) 11*s.* 10*d.* Patten and Wingate lived above Thos. Emery. The highest individual rates for the support of the minister that year, were the following ; Capt. S. Jordan £5 18*s.* 7*d.* Pendleton Fletcher £5 16*s.* 7. Samuel Cole £5 4*s.* 3*d.* Capt. Daniel Smith £4 19*s.* 8*d.* About one half of the whole number of inhabitants were taxed less than one pound.

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## CHAPTER V.

The settlement on the east side of the river, to which the name of Saco East was sometimes applied before its distinct incorporation, increased but slowly in business and population for many years after the division of the Proprietors. The inhabitants continued to be chiefly located near the sea, at Old Orchard, and towards the mouth of the river, being for the most part descendants of the old families ; the Scammans, Edgecombs, Townsends, Youngs, Sharpes, Bankses, Sands, and Googins ; to whom were added the respectable Irish, or more properly Scottish, emigrants, already noticed. Until 1731, Capt. Scamman, and the persons employed in the sawmill, with their families, appear to have been all that were settled in the vicinity of the Falls. In the course of that year, Mr. Weare transferred three fourths of his right both in the mill and lands, to Richard Berry, John Elden, and John Sellea ; and not long after, one eighth to Thomas Dearborn, and the remainder to Abraham Tyler and Jere. Moulton. With the exception of Tyler and Moulton, the purchasers became inhabitants of the town. In 1736, Sellea sold one half of the lot lying on the upper side of the way laid out by the proprietors, now Main street, to Jos. Hill, for £400, reserving "a place for burying, 20 feet square." The land is described in the following manner : "A certain parcel or tract of land situate, ly-

ing and being in Biddeford, on the easterly side of the river commonly called Saco, alias Biddeford river, which said tract is one half of the lot where the said Sellea's and John Elden's houses now stand, the whole share being about two miles in length, and forty rods in width, be it more or less, bounding easterly on a way, westerly upon land of H. Scamman, southerly partly on land left for a mill privilege," &c. The stores of Messrs. King, and Scamman & Cole, stand where Elden and Sellea lived. The burying ground, which is in a field on the lower side of Storer street, has been recently ploughed up, (*horresco referens*,) but a few solitary headstones remain to mark the spot. Dearborn sold out in part to James Berry 1737, and Tyler and Moulton to William Berry the year following. The Berrys all lived at the Falls. Richard married Abigail Smith, of Biddeford, 1736. He died 1765, aged fifty eight.

The lands and other property of Capt. Humphry Scamman were divided among his children 1736, in the following order : Humphry, the oldest son, received one third part of the share in the mills, and privilege, the first and second lots above and below the falls, and one half of the third lot above the falls ; together with twelve acres of salt marsh at Goose fair, and nine rods in the upper checker. This was a double portion. A few years after, as stated above, Humphry transferred a part of his right to Robert Gray. Dominicus, the second son, received 200 acres, lying on the north west side of Moses Deering's lot, together with one third of the remaining two thirds in the mills, and other small lots. He married Rebecca, daughter of Capt. Daniel Smith, 1741, and lived near Mr. William Deering's, on the Ferry road ; but both died prematurely, of a malignant fever, 1745, leaving two children, Dominicus and Elizabeth. To James, the third son, were assigned 100 acres of land in Scarboro', with the mills and privilege at Dunston ; and also one half of the fifth lot above Saco falls, &c. He married about 1739, Hannah, a daughter of Col. Plaisted, of Berwick, and first occupied a house built by Pepperell where the Bartlett house now stands. He afterwards purchased a part of Sellea's lot, and erected a

house in the rear of the present Thornton house. He died 1753, aged thirty two, leaving two sons, the late Col. James, and Mr. Nathaniel Scamman, and three daughters, Hannah, who married Thomas Donnell; Betsy, who married deacon John Hill, of Berwick; and Mary, whose first husband was Capt. Seth Mitchel. The widow married Maj. Ebenezer Ayer, from Haverhill, Mass., 1754, who occupied the house built by Mr. Scamman, which he enlarged. They had several children, some of whom are now living. Nathaniel, the fourth son of Capt. Scamman, received 200 acres of the homestead at the lower ferry, a part of the mill, &c. He died unmarried at Cape Breton. Benjamin, the fifth son, received the remaining 200 acres of the homestead, with the buildings and appurtenances, and the privilege of keeping the Ferry, &c. When 19 years of age, 1745, he joined the expedition to Cape Breton, with his brother Nathaniel, and, it is said, came home sick of the prevailing fever the same year, and soon after died. The fatal disease was communicated to several families in town; his brother Dominicus and wife fell victims to it. The next division was made to the heirs of Mrs. Hannah Brown, a deceased daughter of Capt. Scamman, who received the town grants made to him on Little river, 135 acres, also one half of the fifth lot above the Falls, and  $32\frac{1}{2}$  rods in breadth in the upper division of Lewis and Bonython's patent, next to Skinner's land, &c. Elizabeth, another daughter, wife of Capt. Ichabod Goodwin, of Berwick, received for her portion lands in Kittery, 81 acres in Saco, also one half of the fourth lot above the falls, and  $35\frac{1}{2}$  rods in the upper checker. The late Maj. Gen. Ichabod Goodwin, formerly sheriff of the county of York, was their son. Mary Scamman, "who was in Canada," had assigned to her the sixth lot above the Falls,  $63\frac{1}{2}$  rods wide, and also a breadth of  $82\frac{1}{2}$  rods in the upper checker; now called "the Canada lots." These lands never came into the possession of Mary's heirs, although it is said that a daughter addressed a letter on the subject to her cousin, deacon Dominicus Goodwin, of Berwick, written in the French language; but owing probably to the difficulty of communicating in a foreign tongue, and

at so great a distance, the claim was neglected. At length 1802, a partition of the lots among the heirs of the other children of Capt. Scamman was ordered by the Court of Common Pleas, which accordingly took place. Sarah Scamman, the youngest daughter, who afterwards married Jos. Hanson, of Dover, received as her portion of the estate, a piece of land at Kittery point, a small lot of three acres with a house thereon on the west side of the lower ferry, 81 acres adjoining Dominicus, one half of the fourth lot above the Falls, and  $31\frac{1}{2}$  rods breadth in the upper checker.\* In the allotment to the widow, are mentioned two houses at the lower ferry, viz. the old homestead, and that assigned to Sarah; a new house at the Falls on Humphry's first lot, soon after sold to Gray, and the mill house belonging to partners, "in which," say the commissioners, "Joshua Hooper now lives."

Robert Gray emigrated from Ireland, and first settled in Berwick. Soon after his purchase from H. Scamman, 1744, of the house and 200 acres of land where the latter lived, he conveyed the premises to his son James, from whom he received a lease of the same during life. He died 1771, at the age of ninety one years. A few years after the division of Capt. Scamman's estate, the property at the lower ferry, in part, was purchased by the late deacon Amos Chase, who built the house now occupied by Simeon Holt, and kept the ferry several years. Deacon Chase came into this quarter from Newbury about 1741, when he married Sarah, daughter of Mr. Samuel Cole. He at first attempted a settlement in Buxton, on a right belonging to his father, and was the first person who went with a team into that town. The war of 1744 caused him to return to Newbury, from which place he came again to Saco river, and settled at the ferry 1753. He removed from the ferry 1763, to the estate two miles above, where he passed the remainder of his long and active life.†

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\*The reader is desired to supply the omission in the names of Capt. Scamman's children, p. 213.

†The stately elms which adorn the late residence of the good deacon, he carried to the spot and set out with his own hands, about the

Pepperell alienated a very small part of his extensive interest in town ; a few house lots, in the vicinity of the mill, comprised all of which the conveyances now appear. It is said, however, that he granted one hundred acres, or more, to John Phillips, who settled in town about 1730. The statement is, that Phillips was a native of the west of England, and a cousin to Sir William ; and that on his coming over, the latter gave him a deed of the tract in question, but retained the instrument for safe keeping, which after the death of the baronet was either lost or destroyed. The story is not wholly improbable, the father of Sir William having emigrated in humble circumstances from the county of Cornwall, in the southwest of England, and the latter having permitted Phillips to improve the land from the time of his settlement in town. The lot is said to have extended in length from the present First Parish meetinghouse to Goose fair brook, on the lower side of the way, which divided Pepperell and Weare. Phillips lived in a small house that stood where Jona. King Esq. now resides, whose valuable estate is a part of the tract claimed by the heirs. Their title was allowed to a certain extent by the agent of government, appointed for the sale of confiscated lands.

The decease of Sir William Pepperell, Baronet, took place 6 July, 1759. The following schedule of his lands now lying in the town of Saco, amounting to about 5500 acres, was drawn up at that time : 1. The mill right, from Gray's land to Main street in breadth, and two miles back, supposed to contain 300 acres. 2. A lot consisting of 300 acres, 100 rods distant from the former. 3. The great lot, Pepperell's half, 1200 acres. 4. Deep brook lot, 700 acres. 5. Guinea lot, 600 acres. 6. Berry's lot, 350 acres. 7. Long Reach lot, 700 acres. 8. Old Orchard lot, 490 acres. 9. Interest in Foxwell's right, 870 acres. Sir William devised this valuable property to his grandson, William P. Sparhawk, a son of

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time of his removal. It is gratifying to notice this exception to the general indifference of our inhabitants to the cultivation of ornamental trees. The advice of Dumbiedikes to his son is oftener quoted than followed : "Jock, when ye hae naething else to do, ye may be aye sticking in a tree ; it will be growing, Jock, when ye're sleeping."



Nathl. Sparhawk, Esq. whose wife was the only surviving child of the Baronet. Young Sparhawk, then a minor, was to take the name of William Pepperell, when he became of age.

The improvements made by Pepperell were not very extensive. Beside his part of the saw and gristmills, he had a wharf and store, or *warehouse*, as it was called, situated as the similar property now is below the Falls. He likewise built a small house on nearly the same spot where the Bartlett house stands, which was used at an early period for the accommodation of travellers. Mr. Richard Burke, an agent of the Pepperell family, afterwards occupied it. The Ferry was also in part the property of Pepperell. The Baronet was often in town, and his appearance is well remembered by several aged persons. He passed much time at the house of Rev. Mr. Morrill, and always attended meeting when here on Sunday. His dress was usually in the expensive style of those days, of scarlet cloth, trimmed with gold lace. When strangers were present at meeting it was common to solicit a contribution, the avails of which were the perquisite of the minister. Pepperell, although tradition does not speak of him as distinguished for his liberality, would sometimes, it is said, throw a guinea into the box, in token of his friendship and regard for the worthy pastor. Few men have passed through life with so much success in their enterprises, whether of a public or private nature, as Sir William uniformly enjoyed. Even the reduction of Louisburg, the pillar of his fame, has been ascribed to a series of lucky accidents, or to the special interposition of Heaven, rather than to the military skill of the general. It is a homely tradition, that whatever he willed, was done. None thought it wise to dispute his wishes.

No regular Physician is known to have settled in town until a comparatively late period. Medical practice was chiefly in the possession of females, of acknowledged tact and experience, whose acquaintance with a few simple remedies, and faithful care of their patients, supplied in a good degree the want of professional skill. In cases of great difficulty and danger, and those which required

surgical aid, the physicians of the larger towns were usually employed. Dr. Packer, of Portsmouth, (who died 1728, at an advanced age,) extended his visits into this quarter ; as did the celebrated Dr. Clement Jackson, and Dr. Pierce, of the same town, and Dr. Lyman of York. The latter, we have heard, resided here a short period on the west side of the river, during the ministry of Mr. Willard, but cannot vouch for the accuracy of the statement. Dr. Nathl. Coffin, who settled in Falmouth (Portland) 1739, and practised with great reputation nearly thirty years, was often employed by our inhabitants. The first physician that is known with certainty to have settled in town, was Dr. Samuel White, Esq., (for he was a magistrate as well as a physician,) who came from York, as early as 1750. He lived at the Falls, on the east side, in a house that stood until a recent date, on wharf hill, a short distance above that of Captain Jonathan Cleaves. We find the town voting to pay him "26s. 8d. lawful money, for service done for Walter Murch, in dressing his leg," 1756. Dr. White died soon after that date, of consumption. His wife, whose maiden name was Woodbridge, of York, on his death returned to that place.

The next physician, Dr. Donald Cummings, was a man of some celebrity. He was a native of Scotland, and came to America as a surgeon in the British army. He was induced to settle in town, it is said, by Lieut. Ladd, with whom he formed an intimate friendship while in the service. He came early in 1755, and resided at first on the east side of the river. The same year, Dec. 30, he was married to Mrs. Elizabeth, widow of Mr. William Cole, and soon after removed to the house built by the latter on the mill brow, west of the Falls. Possessing popular manners, and the reputation of great skill in his profession, he acquired in a short time a very extensive practice. His services were in requisition abroad as well as at home, and aged persons in neighboring towns still speak of Dr. Cummings, as the most distinguished practitioner of former days. In his habits, he was social even to excess ; cheerful and full of anecdote, he inspired good humor and friendly feelings wherever he went. His death

was the result of accident. Returning late on the night of April 1, 1774, from a visit to the house formerly Capt. Samuel Jordan's, at Winter Harbor, he was thrown from his horse on the shore of the Pool, where his lifeless body was discovered the following morning. He left three sons, James, Donald, and Nathaniel.

The first merchants or traders of whom we have an account on the east side, were Tristram Jordan, Andrew Bradstreet, Thomas Cutts, Thomas Donnell, and David King. Mr. Jordan, third son of Capt. Samuel, took the Pepperell house, (in which Mr. Jas. Scamman had lived,) 1749, having married the same year, Hannah, daughter of Capt. Ichabod Goodwin, of Berwick. He soon after built a house, recently taken down, which stood on Storer street, on the site of which Capt. Tristram Storer has since erected another. In 1754, he was chosen one of the selectmen of the town, altho' but 23 years of age, and about the same time received the commission of captain in the militia; offices which it was not customary at that period to bestow on young men. We have before us the commission of Samuel Scamman, (father of the late deacon,) as "lieutenant of the First Company of Foot on the East Side of Sawco river, in the Town of Biddeford, in the Co. of York, whereof Tristram Jordan is Captain, in the first Regiment whereof Sir William Pepperell is Colonel," &c. given at Boston 12 April, 1755. The books of Capt. Jordan, kept at that time, show that he traded to a considerable extent. By the tax list of 1755, it appears that the whole number of persons assessed on the east side of the river, was 115, including six non-residents. The highest rates were paid by the following: Tristram Jordan, Eben. Ayer, Jas. Gray, Rich. Berry, Amos Chase, Edward Rumery, Jas. McLellan, Martin Jameson, Rob. Gray, jr., S. Scamman, Walter Foss, R. Patterson; the first paid £4 5*d.*, the last £1 10*s.* 2*d.*

Andrew Bradstreet came 1756-7, and occupied the house in which Capt. Sam. Jordan Morrill now lives. His store was adjoining the house, on the front. Captain Thomas Donnell rented at the same time the store or warehouse of Sir W. Pepperell, on the wharf below; his son, now living in Hollis, was a clerk in the store 1758,

then 18 years of age. Mr. David King traded a short time near the head of the wharf, but soon after his marriage, 1762, removed to the west side of the river.

Col. Thomas Cutts, for a long period one of the most eminent merchants in Maine, was the youngest son of deacon Richard Cutts, of Cutts's island, Kittery. His great grand father, Robert Cutts, Esq. emigrated to this country from the west of England, about the year 1645, and with his two brothers, whose names were John and Richard, settled on the Isles of Shoals, at that time a place of great resort for English fishing vessels. From humble circumstances they all rose to the enjoyment of great wealth, the reward of long continued and successful enterprise. Robert finally removed to Kittery, and his brothers to Portsmouth, where they were for many years among the most respected inhabitants. The former was appointed a magistrate by the King's Commissioners, 1665; and at his death, 1672, left a large estate to his son Richard, father of the deacon. The latter was born 1693, and married Eunice Curtis, 1720. Our townsman, as stated on a preceding page, was the youngest but one of their ten children. Having served a clerkship with Pepperell, he early commenced business, it is said, at Kittery, but proving unfortunate in his first enterprise, he left the place, and soon after, about 1758, came to this town. He was then but twenty two years of age, with a capital of only \$100, for which, and to a greater amount, he was indebted to his father. He first took a room in Dr. White's house, where he began trading on a small scale. By practising the most rigid economy, even to the preparation of his own food, thereby avoiding the expense of board, and with the aid of an uncommon aptitude for business, Mr. Cutts within a short period enlarged his capital, and became engaged in lucrative and extensive transactions. It is worthy to be noticed as creditable to his early character, that with his first profits he discharged the obligations to his father. Indian island at that time was covered with a forest of oaks, and as yet had served little other purpose than to afford a favorite place of resort to the friendly natives during the fishing season, when great numbers of them were

usually there. They had enjoyed from time immemorial an undisturbed right of occupancy to this valuable spot, now so completely divested of its natural beauty and all that rendered it attractive to the rude savage. Even many years after the improvements were commenced on both Falls, the island continued to be the occasional abode of the Indians, and was the scene of many a noisy frolic and midnight revel, when their loud and frantic cries, mingled with the roar of the cataract, often excited alarm and consternation among the inhabitants. The partners, in the division of 1718, simply claimed it as their property, neglecting to make a partition, as of their other lands, notwithstanding the advantages which it presented for the erection of mills, and as a central medium of communication between the opposite settlements. Mr. Cutts was the first to appreciate the importance of the island for these and other purposes, and early resolved to make it the seat of his business. In pursuance of this design, he purchased in the summer of 1759, a small undivided part, being a fourth of Weare's original share, for about ninety dollars, and soon after built a small house, with conveniences for a store, on the southwest end of the island, (where it still remains,) to which he removed. A bridge had been recently thrown across the narrow part of the stream, on the east side, a short distance above that now leading from Main street, and a road laid out nearly as it runs at present to the western freebridge. The Ferry was at the same time established from that part of the island, to Allen's, (now Capt. White's,) thereby avoiding more than half the distance of the old route from Pepperell's wharf. After the erection of the proprietors' bridge at the same place, 1767, with which the inhabitants were highly gratified, Mr. Cutts began to reap the full advantages of a situation so judiciously chosen. Beside the business of his store, which became greater than that of any other in the vicinity, he entered into shipbuilding and navigation, and up to the commencement of the revolutionary war, was engaged in a timber trade with the British W. I. islands, equally profitable and extensive.

Mr. Cutts was married, 24 Aug. 1762, by Rev. Mr. Morrill, to Elizabeth, daughter of Mr. Dominicus Scamman, who, on the premature decease of her parents, had been adopted by her maternal grandmother, Madam Ladd. He continued to occupy his first house about twenty years, in which were born all but one of eight children, five of whom are now living. In 1782, the family removed to the elegant mansion house, on the upper part of the island, where Col. Cutts passed the remainder of his life.\*

The first mechanic within the limits of the present village, whose name has reached us, was Samuel Denet, a tanner, from Kittery. He came as early as 1738, and lived opposite Spring's island, where his son built a saw-mill and gristmill 1795. Hence the name of Denet's landing, given to "the place for taking logs out of the river," on the upper side of the bridge. Samuel Warren, a blacksmith, came from Berwick a few years after Mr. Denet. He married Sarah, daughter of Mr. Robert Gray, 1749, and purchased a house-lot from Sir William Pepperell 1752, on which he built the house now occupied by his son, Capt. Thomas Warren. He died 1814, aged eighty eight years. John Armstrong, a cabinet-maker, from Boston, settled in town about 1750, and remained more than twenty years. He occupied the house of Mr. John Elden, after the latter removed to Buxton, and had his shop in the building. Mr. Armstrong returned to Boston, where he has respectable descendants.†

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\*The Pepperell half of the island was purchased by Col. Cutts 1774, for about \$1100; he had previously bought Sellea's 1-16, and an equal proportion from McIntire, of York, probably Elden's share. Other small parts were conveyed to him at different times, by the Berrys or their assigns, and the Scamman heirs.

†His father, James Armstrong, and his brother in law, Robert Means, were among the presbyterian emigrants from Ireland, and settled at Falmouth 1718. Mr. Means subsequently removed to this town, having purchased an estate at Old Orchard, where he died 1769, aged seventy nine years. He had two sons, Thomas and John; the former settled at Flying point, (Casco bay,) now in Freeport, where he was unfortunately killed by the Indians 1756. (Sullivan. 190. Smith's Journal.) John died at Old Orchard 1776, leaving five sons: John, Robert, James, Thomas, and George; the third of whom commanded a company during the last four years of the revolutionary war, and has since lived at Stroudwater village, Westbrook.

John Hurley, a tailor, was here at the same time. Pepperell sold him a house lot below Warren's, where he probably built the house, afterwards Bradstreet's, in which Capt. Morrill now lives. He remained but a few years. Isaac Whitney, housewright, purchased a house lot situated between Warren and Hurley, from Sir William 1752. Two years after he sold to Mr. Warren the lot, "together with a house standing thereon." Gershom Billings, a tailor, was here 1750, when he worked in a small shop that stood where the stone block of Messrs. Andrews and Scamman has been recently built. He married a daughter of deacon Wingate, 1764, and lived in the house formerly Dr. White's, which he purchased. Mr. Billings was afterwards chosen deacon of the first church on the east side of the river, and finally removed to Buxton. John Kendrick, a well known shoemaker, bought a house-lot of Pepperell, now a part of the Cleaves hotel premises, 1752. He at first built a small house on this lot, in which he lived many years. Kendrick died 1825, aged ninety five. John Fitts, a chairmaker, had a shop next above Bradstreet, 1760. Francis Tucker, a hatter, from Portsmouth, was here 1762. His house was on Main street, nearly opposite Saco Bank. He died 1790, aged ninety.\*

In 1755, the following persons were taxed for the item of *faculty*, on the list committed to the constable of the east side of the river: Donald Cummings 5*s.* 7*d.*; S. Dennet 4*s.*; S. Warren 3*s.* 9*d.*; J. Kendrick 2*s.*; J. Hurley 2*s.*; Isaac Whitney 1*s.* 10*d.*; John Armstrong 1*s.* 10½*d.* In 1762, Thomas Cutt 12*s.*; S. Warren 12*s.*; S. Dennet 12*s.*; A. Bradstreet 10*s.*; Capt. Thos. Donnell 10*s.*; David King 5*s.*; Francis Tucker 5*s.*

The way laid out by the partners 1718, from the mill to the middle line, was made a highway 1754, and ex-

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\*The Pepperell house, already mentioned, was a place of resort at that period for the lovers of punch, flip and *sampson*, (the latter a beverage composed of rum, cider, &c.) A book is preserved containing charges against sundry persons, who frequented the house in 1750. The following are specimens of the items: 1 bowl Punch 7*s.* (old tenor) 1 mug Sampson 6*s.* 6*d.*; 1 mug Flip 5*s.*; 2 qts. Syder 5*s.*; 1 Leamon 2*s.* 3*d.*

tended to the Scarborough line ; it is now the post road to Portland. Up to that date the travelling was continued on the lower road, crossing the Ferry near the mouth of the river, and another at Blue-point.\* The return of the jury is as follows : "Nov. 2, 1754. We the subscribers being a jury summoned and sworn to lay out a highway in as direct a course as may be, from Biddeford lower falls, on the eastern side of Saco river, to Dunston in the town of Scarboro' ; having viewed the land, do lay out the same as follows, viz. beginning at Saco ferry on the eastern side of said river, next below the lower falls aforesaid at an elm tree, at the middle of the ferry place, and running as the road now goeth, from thence north sixty degrees west, twenty seven rods, thence north west by north twenty four rods, to the garrison or fort so called, thence, running north east between the lands of Sir William Pepperell, and the heirs of Mr. James Scamman deceased, five hundred and forty rods crossing over Goose fair river to a white oak tree marked ; and from thence north fifteen degrees east, two hundred and forty rods by marked trees and thence north forty degrees east fifty four rods crossing over Little river to the banks on the northeast side of said river, thence north nine degrees east twenty six rods by mark'd trees, from thence northeast two hundred and sixty rods to the southwest side of Foxwell's millpond, and thence northeast crossing the millpond, one hundred and eighty two rods to the town line between the towns of Biddeford and Scarboro', the said road for the space of ten rods joining on the southwest side of said mill pond to be five rods wide, and all on the southeast side of said line for the advantage of joining a bridge, and in all other parts to be four rods

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\*The last person who had charge of the Ferry at Blue-point, was Mr. Abraham Tyler, who died a few years since at an advanced age. He came from Andover, Mass. and married in this town, 1743. His wife was one of the two children, Elizabeth and Andrew, "heirs of Mrs. Hannah Brown," (see p. 254,) grand children of Capt. Scamman, by whom both were adopted after the early decease of their parents. Andrew settled at Kennebunk-port, where his descendants are numerous and respectable. This family of Browns had an extensive right to lands in Scarboro', derived from their ancestor, Mr. Andrew Brown, who purchased from George Cleaves 1655.



wide." The same jury, Rich. King, Esq. of Scarboro', foreman, laid out the Buxton road, four rods wide, of which the return bears the same date as the preceding.

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## CHAPTER VI.

The town passed a vote at the March meeting, 1752, to erect a new meetinghouse on the land of Matthew Patten, to which thirty persons, chiefly resident on the eastern side of the river, entered their dissent. And in April following, the inhabitants on that side obtained the consent of the town to be set off as a distinct parish. The meetinghouse was in consequence not built at the charge of the town, but by the subscriptions of the inhabitants on the western side. The committee to superintend the building of it, was composed of Rishworth Jordan, Esq., Jos. Tarbox, Jos. Dyer, Benj. Hooper, and Jere. Hill. It was completed 1759, by Mr. Nathaniel Perkins, master builder, and is now known as the lower meetinghouse in Biddeford.

In the meantime, the eastern Parish set about erecting a meetinghouse for their own accommodation, on a piece of land granted them by Sir William Pepperell. The donation was made 1752, and consisted of four acres, "for building a meetinghouse, for a burying place, and for setting up a schoolhouse, and for no other use or end whatever." The frame of the house was soon after erected, and the town was desired to finish it, which they voted to do, March, 1754; but in October following, the vote was rescinded. At a meeting the next month, a proposition was made to raise a sum, one half of which should be appropriated towards completing the house, and the remainder for repairing the old house on the west side, which was rejected; but the town granted £26 13s. 4d., "to hire a preacher for the winter season on the east side," and appointed Amos Chase, Samuel Scamman, and Benjamin Hooper, a committee for this purpose. Three years after, 1757, the town passed the following vote:

“That the meeting house now erected on the east side of the river be a meetinghouse for the public worship on said side, and be finished by the inhabitants of said side at their own cost and charge.” And Mr. Morrill was permitted to preach there one third part of his time the year ensuing. Mr. Edmund Moody, of Kittery, an experienced workman, was employed to finish this house, which stood until recently a few rods below the present meetinghouse of the Second Parish. The desk was partially supplied by Rev. Mr. Morrill, until 1761, when the services of Mr. JOHN FAIRFIELD, a candidate for the ministry, were obtained. Mr. Fairfield preached his first sermon on a temporary engagement, 23 August, 1761. He continued till Nov. 11, boarding at first with Mr. Jas. Gray, and afterwards with Capt. Tristram Jordan. He resumed his labors in January, 1762, and continued, with a short intermission in the summer of that year, until his settlement.

In 1760, the limits of York County, which extended from New Hampshire to Nova Scotia, were reduced by the erection of two new counties, Cumberland and Lincoln. The east line of the County remains as it was then established, except that it has been curtailed on the north.

The inhabitants on the east side of the river had at length become so numerous, that they petitioned the General Court for a separate act of incorporation. This was obtained in June, 1762\* : when it was “enacted by the Governor, Council, and House of Representatives, that all the lands in the Town of Biddeford lying on the East side of Saco River in the County of York, together with an Island in the said River commonly called and known by the name of Indian Island, be, and hereby is, erected into a separate and distinct District by the name of PEPPERRELLBOROUGH, bounded with the same bounds as the Town of Biddeford now is on the East side of Saco river ; and that the said District be, and hereby is invested with all the privileges, powers and immunities that Towns in this Province by Law do or may enjoy, that of

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\*See Appendix F. for a copy of the entire Act.

sending a Representative to the General Assembly only excepted,' &c.

The name of Pepperrellborough was retained by the town until 1805, when the old and more convenient designation, Saco, was substituted, on the petition of the town, by an act of the Legislature. This name had, indeed, never been out of popular use.

The first district or town meeting was holden in July, when Tristram Jordan, Amos Chase, and Robert Patterson, jr. were chosen selectmen, and Tristram Jordan clerk. At a subsequent meeting, Aug. 7, a committee was appointed, consisting of Lieut. Samuel Banks, R. Patterson, jr., Jas. McLellan, and Ebenezer Ayer, who were authorized to invite Rev. John Fairfield to settle in the work of the ministry, and to offer him a salary of £600, old tenor, equivalent to £80 lawful, (\$266,66) "if they could not agree for a less sum." The meeting having been adjourned to Aug. 24, it was then voted to allow Mr. Fairfield a settlement of £1000, old tenor, (\$444,44), that he might provide himself with a parsonage. These terms were accepted by Mr. Fairfield, who returned his answer Sept. 24. The following persons united themselves, into a church society, Octo. 13, observing a solemn fast on that day: Robert Patterson, Robert Edgecomb, Samuel Banks, Magnus Ridlon, Thos. Edgecomb, Tristram Jordan, Amos Chase, R. Patterson jr. Andrew Bradstreet, Gershom Billings. Messrs. Chase and Patterson, sen. were subsequently elected deacons, but the latter declining the office, Mr. Billings was chosen in his stead. The ordination of Mr. Fairfield took place Octo. 27, 1762, when the following churches were represented: the first church in Boston, (of which the pastor elect was a member,) the church in Biddeford, 1st and 2d churches in Wells, 2d church in Scarborough, 1st church in Falmouth, the church in Windham. Rev. Mr. Morrill presided in the Council. The exercises of the ordination were conducted by the pastors of neighboring churches in the following order: Rev. Mr. Elvins, of Scarboro', offered the introductory prayer; Rev. Mr. Morrill delivered the sermon, from Luke, xii, 42. Mr. Fairfield then read his answer to the invitation of the

town; Rev. Mr. Morrill made the ordaining prayer, and gave the charge, assisted in the imposition of hands by Rev. Peter Smith of Windham; Rev. Daniel Little, of the 2d church in Wells (Kennebunk) extended the right hand of fellowship; Rev. Moses Hemmenway, of the first church in Wells, offered the concluding prayer; after which the newly ordained pastor read Psalm 123, and pronounced the blessing.\*

The Rev. John Fairfield was a descendant of John Fairfield, a puritan, who was admitted a member of the church at Salem 1639, and freeman of the Colony the succeeding year. William Fairfield, Esq. a grandson of the latter, was the representative of Wenham, near Salem, in the General Court 27 years, nine of which he presided as speaker of the House. He died 1742, in the eighty first year of his age. His oldest son, William, settled in Boston, where he died 1770, leaving six children, the second of whom was our minister. The latter graduated at Harvard College 1757, and was engaged as a teacher at Manchester and Roxbury, Mass. until he commenced preaching, Feb. 1760. Before his engagement at this place, Mr. Fairfield supplied the desk at Leominster, Mass. nearly five months, 1760; and subsequently preached in the warehouse at Arrowsick, Georgetown; in the First Parish of Scarborough; and at Dunstable, Mass. Previously to his settlement, 20 July, 1762, he was married to Mrs. Mary, daughter of Capt. Ichabod Goodwin, and widow of Foxwell Curtis Cutts, Esq. of Berwick.† Soon after his settlement, Mr. Fair-

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\*Mr. Ebenezer Ayer provided a dinner on this occasion at the expense of the town, of which ninety persons partook. Mr. Ayer charged at the rate of 10s. old tenor, or 24 coppers per head. The following articles were purchased for the entertainment, at the annexed prices: 1½ bus turnips £1 4s. 2 bus. potatoes £2 5s. Sixty four pds. beef £4 16s. 6 pds. plums £2 5s. Pepper and Spice £1 8s. Two geese £2 One turkey and one other fowl £1 7d. Two turkeys £1 10. Seventeen pds. pork £4 5s. Four fowls £1 4d. Cabbage 18s. 13½ pds. butter £4 18s. 11 pds. sugar £2 15s. 6 pds. plums £2 5s. 54 pds. flour £3 1s. 25 pds. pork £6 5s. One barrel beer £2 Two galls. rum £4 10s. Two qts. brandy £1 2s. 6d. Two bus. rye and indian meal £3. (Old Tenor, or about 50 cts. to the £.) Eight cooks and waiters were employed on the occasion.

†Mr. Fairfield recorded in a private journal the death of a son of Mr. Cutts, in the following manner: "1766, May 3d. At six o'clock

field built the house now occupied by Mr. William Deering. His amiable consort died 16 April, 1774, at the age of thirty seven ; leaving a family of six children, five of whom were daughters, and all at a tender age. Mr. Fairfield was twice subsequently married.

The town affairs present nothing of particular interest after this date until the commencement of the revolutionary struggle. In the meantime, several professional gentlemen settled in the villages at the Falls, attracted doubtless by their growing importance, and the fair prospect of a continued increase in the amount of business. Of this number was JAMES SULLIVAN, subsequently distinguished as a Judge of the Supreme Court, and Governor of the Commonwealth. Mr. Sullivan was a native of Berwick, where his parents settled early in that century, having emigrated to New England from Limerick, Ireland. His father was long employed as an instructor at Berwick, and, possessing a familiar acquaintance with the higher branches of learning, bestowed on his sons, (of whom there were four,) the only patrimony in his gift, but more valuable than any other, a good education. He designed them, however, for the labors of a farm, in which James was actually employed until a late period of his youth, when, fortunately for society, of which he was destined to prove so bright an ornament, an accidental injury withdrew him from the further pursuit of that occupation. His steps were then turned into a track that led to a wider sphere of usefulness, for which his native powers of mind peculiarly fitted him. He studied law with his brother, Gen. John Sullivan, at Durham, N. H. and opened an office in Biddeford 1769. He purchased a

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morning died my son Samuel Cutt, aged 7 years perhaps to one minute, of the Nervous Fever, who laid 10 days in a senseless Frame, and never spake till Death put a Period to his Days. May this Providence be sanctified to us all who are exercised with it to our spiritual Good. He was decently interred on Sabbath Evening at 7 o'clock the 4th Instant. At the Funeral were the following Persons to whom for their Special services we gave Gloves. Mr. Morrill Chaplain; Doct. Cummings, Physician. Bearers, William Patterson, John Morrill, Joseph Morrill, John Chase, sons of R. Patterson jr, Rev. Moses Morrill, and Rev. (Josiah) Chase of Spruce Creek, (Kittery.)" Then follow the names of the watchers, and several other persons, in all thirty two, to whom gloves were given.

small one story house, containing only two rooms, in which he lived three or four years ; but afterwards built a handsome front of two stories, the same now occupied by Edmund Coffin, Esq. His office stood in a corner of the garden adjacent to his house. No regular attorney had previously settled on Saco river ; the litigated business having been wholly managed by lawyers residing in distant towns, who were in the habit of riding the circuits of the courts. Mr. Sullivan speedily rose into favor and extensive practice, aided by popular manners and a close application to the business of his profession. "His accommodating disposition," says a cotemporary resident in town, "made him much beloved. Necessity in early life brought him acquainted with labor of almost every kind ; the axe, the saw, the shovel, the plough, he handled equally with any one, and superior to most men, and with such willing resolution that none went before him. He would fall a tree equal to any, and lift as much. The town of Limerick was located 1772, in which he had a share, and the proprietors honored him with the name, [being that of the town from which his father emigrated.] In 1774, litigation had ceased, the courts were suspended, and his case, would with most men have been gloomy in the extreme ; not so with him, however. He took his axe, week's provisions, and blanket, frock and trowsers, and went with the other settlers, to Limerick, (for most of them went from Saco,) and commenced falling trees to reduce his lands to a state of cultivation, for the support of himself and family. On Saturday evenings, he returned (the distance was nearly thirty miles,) as black and as cheerful as the natives when they return from a successful hunt. The business of the country, however, soon required his energies."

Three physicians settled in Biddeford, and one in Pepperrellborough, before the death of Dr. Cummings. Dr. Abiathar Alden, one of the former, came about 1765, from the Old Colony. He was only remarkable for his tory principles, which finally lost him the small portion of practice he at first possessed. Dr. John Jackson, from Portsmouth, resided in Biddeford about the same time. He remained only a short period.

Aaron Porter, M. D. from Boxford, Mass. settled in Biddeford 1773, and soon acquired an extensive practice, which he retained until his removal (1810) to Portland, where he now resides. Dr. Porter studied with the late Thomas Kittredge, M. D. of Andover, whose father, Dr. John Kittredge, an eminent surgeon, was often employed in this quarter.\* Benj. Hooper, Esq. built that year the house now occupied by Capt. Samuel Emery, attached to which was the office of Dr. Porter, directly opposite Mr. Sullivan's. The hardships encountered by Dr. Porter in his early practice, are well described in the following extract from a communication on the subject with which he has favoured us. "At that period, most of the country was new, unsettled, and wilderness. Although Saco was settled and inhabited from 1629, yet the settlements were altogether by the Sea or on the margin of the River, or about a mill, so that all the lands round about remained a wilderness. In this wilderness country, without experience it is hard to conceive what difficulties, dangers and hardships a young Physician must suffer in his professional business, riding necessarily in stormy, dark nights, on bad roads, bye paths, pole bridges, or none at all, trees and bushes sweeping across the way. Add to these, deer skipping, wolves howling, foxes yelping, owls screaming; music not the most agreeable in a dark winter's night to a traveller. Before this a few years the people had begun to move out and cultivate and settle on the wilderness lands, and were necessarily without roads; by paths of course were used, and to attend these scattered settlements for many miles around in their sicknesses, was the worst of the practice. Thus it continued much the same through all the revolutionary war. My professional business commenced in 1773. Dr. John Jackson had removed to Portsmouth; Dr. Alden's practice left him; Dr. Fairfield went into other business; Dr. Cummings was drowned 1 April, 1774; thus nearly all the practice came under my care. Arundel and Kenne-

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\*In 1756, our inhabitants voted to pay Dr. J. Kittredge £8 10s. lawful, "for boarding and dressing of James Treworgy, servant of Thos. Dyer's." Bills for *horse hire*, on account of Treworgy, were agreed to be paid at the same time.

bunk having no physician during the Revolution, that practice also fell to me. Anticipating as I did through the year 1774, that the threatening aspect of affairs between us and Great Britain would not be soon accommodated, I provided for the worst as respected my business and living. Medicines already began to be scarce, for none had been imported from the British for several months; having a little credit in Boston and a little cash on hand, I improved both to the extent of my power, and procured medicines of the best quality enough to last ten years. Thus stored with these necessities, having no family to support, (and by the by matrimony was scared out of the land, few or none dared undertake it,) I was placed in easy circumstances, for that day at least. At that time Hollis, Lyman, Alfred, and the country round was wilderness; some few scattering settlements were beginning to be made in those places."

Dr. Porter was married, 1777, to Paulina, second daughter of Richard King, Esq. of Scarboro'. Of their twelve children, born in Biddeford, four are now deceased, one of whom, Moses, graduated at Harvard Coll. 1799, died 1802. The Doctor built, 1785, the house now occupied by Mr. James Maxwell, at first consisting of two stories, to which a third was added 1800.

Dr. Josiah Fairfield, a cousin of the minister, came to Pepperrellboro' about 1770. He soon relinquished the practice of medicine for mercantile business, and during the war was engaged in fitting out privateers. Dr. Fairfield purchased the house formerly Dr. White's, where he lived, "respected and useful," in the words of his epitaph, "as a man, a physician and a magistrate." He died of consumption 1794, aged forty seven years.

The principal magistrate in Biddeford, at that period, was Hon. Rishworth Jordan, who lived in the lower part of the town, in the house now occupied by his youngest son, R. T. Jordan, Esq. Early in the war, he was raised to the bench of the Court of Common Pleas, of which he subsequently became chief justice, and was universally esteemed for his able and upright discharge of the duties of that office. For more than half a century, Judge Jordan took an active and prominent part in the af-



fairs of the town, enjoying the unlimited respect and confidence of the inhabitants. He married Abigail, daughter of Col. Timothy Gerrish, of Kittery, 1742. Of their ten children, six were daughters; Olive, the eldest, was married to Dr. Daniel Peirce, a physician, of Kittery, 1765; Abigail, to William Vaughan, Esq. of Portsmouth, 1768; Sarah, to Capt. Paul Junkins, of York, 1769; Mary, to Col. Joseph Morrill, now of Saco, 1772; Elizabeth, to Mr. Benjamin Nason, jr. of Peppo. 1784; Jane, to Mr. William Shannon of Dover, N. H. 1809. Capt. Junkins removed to Pepperrellboro', and lived in a house nearly opposite that of Josiah Calef, Esq., where the old road from Gray's met the ferry road. The point in the river previously called Pipe Stave, was known as Junkins's point after the captain settled in that vicinity. Judge Jordan died 1808, in the 89th year of his age; having survived Capt. S. Jordan, his father, sixty six years.\*

A great improvement was made prior to the revolution in the facilities of communication between the two towns, by the laying out of new roads and the erection of bridges across the river. Travellers continued to ford the mouth of Kennebunk river, and to take advantage of the seashore, where it was practicable, until all apprehension of danger from the Indians was removed. The road to Kennebunk-port, which strikes the Winter Harbor road near the lower meetinghouse in Biddeford, was laid out about 1750; and it was not until several years after that date, that the present mail route to Kennebunk was attempted. The dense and long extent of forest, formerly known as "Saco woods," through which it must have necessarily passed, prevented the early laying out of this road; and until a comparatively recent period, the stories of wolves, wildcats, and even catamounts, reputed to have attacked individuals in those formidable woods, have occasioned some uneasiness to the timid traveller.†

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\*The mother of the Judge, we have reason to suppose, was a granddaughter of Edw. Rishworth, Esq. of York. Mr. Rishworth died 1691, having been an inhabitant of Maine about fifty years. See above, pp. 119, 128.

†Wolves appear to have annoyed the inhabitants down to a comparatively recent period. As late as 1786, the following vote was passed in town meeting; "Voted to allow any person belonging to

The first BRIDGE over any part of Saco river was built with the proceeds of a Lottery, granted by an act of the General Court passed 1757.\* An advertisement appeared in the Boston Gazette 1758, announcing the First Class of the Lottery to be drawn at York, in May, the following year, when the drawing took place. The bridge was built a short time after the passage of the act, before the completion of the drawings, and crossed the branch of the river on the east side of the island above the present one from Maine street, as already noticed. The small, old-fashioned shop of Mr. John Scam-

the town of Pepperrellboro' 30s. for all grown Wolves that shall be killed within the bounds of said Peppo. and 15s. for wolves' whelps."

\*The act is as follows :—

"An ACT for raising the sum of One Thousand two Hundred Pounds by Lottery, for building and maintaining a Bridge over Saco and Presumpscot Rivers in the County of York.

Whereas the Eastern Part of said County of York has been formerly broke up by the Enemy, and the getting Troops to their relief is extreemly difficult, if not impracticable, in some Seasons of the year, there being no passing in boats or any other way over the Rivers of Saco and Presumpscot and the building a Bridge over said River will be of Public Service—

Be it therefore Enacted by the Governor, Council and House of Representatives, that Sir William Pepperell, Baronet, Daniel Moulton, Edward Milliken, Joseph Sayer, and Rushworth Jordan, Esq. Messrs. Benjamin Chadbourn and Stephen Longfellow, or any three of them, be and hereby are allowed and Impowered to Set up and Carry on a Lottery or Lotteries which shall amount to such a sum as by deducting Ten per Cent. out of each Prize will raise the sum of One Thousand Two Hundred Pounds to be applied by them, or any three of them, towards building and maintaining a good and sufficient Bridge over each of said Saco and Presumpscot Rivers, at or near the lower Falls of said Rivers, and for defraying the necessary Charges of the Lottery aforesaid, and the said Sir William Pepperell, Daniel Moulton, Edward Milliken, Joseph Sayer, Rushworth Jordan Esqs., Benjamin Chadbourn, and Stephen Longfellow, or any three of them may, and hereby are impowered to make all necessary Rules for the regular Proceeding therein, and shall be sworn to the faithful discharge of their Trust aforesaid and be answerable to the owners of the Tickets and for any deficiency or misconduct ; and that Monies so raised shall be applied for the uses and purposes aforesaid and no other, and if the sum raised shall be more than Sufficient (after paying of the Charges of the Lottery) to build the said Bridges, the Surplusage shall be lodged in the hands of the Treasurer of the County of York, to be drawn out and applied towards Repairs of the said Bridges." Records Gen. Court. The highest prize, \$1000, in this Lottery, is said to have been drawn by Mr. Ebenezer Ayer. It was probably the highest in the first class. The price of tickets was two dollars.

man, stands on the lower side of the former road, where it met the bridge. In 1772, the following vote was passed by the District or town : "Whereas the Lottery Bridge in Peppo. so called, is out of repair, and the inhabitants of said District are presented for the same, and said presentment is depending at the next Superior Court at York, it is voted that if said presentment should go against said District, to carry the cause to the Gen. Court for redress," &c. It does not appear that the bridge was put in complete repair, although it continued to be passed until swept away by the great freshet of 1785. A daughter of Mr. Andrew Bradstreet, four years of age, fell through an opening in this bridge, and was drowned, Oct. 22, 1779. She floated down to the brink of the Fall, when her clothes caught in a slab, and she remained suspended a minute or more ; means were instantly taken by persons in the mill to rescue her from the perilous situation, but at the moment when there was a prospect of success, a floating piece of wood struck against the slab by which she hung, and precipitated the little sufferer into the abyss below.

After the Lottery bridge was carried away, another was built on nearly the same spot, by Col. Cutts, with the assistance of the town, on which toll was taken from strangers. The town contributed £100, as it appears by the following votes passed 16 January, 1786 (when a meeting was holden at the public house of John Cleaves) : "1 Voted to assist in building a bridge across the stream on the east side of Indian island. 2. To raise £100 by the freeholders and inhabitants of Pepperrellboro' to be laid out towards the building a bridge across the stream on the eastern side of Indian island, and where the Lottery bridge was built, and on condition the inhabitants of said P. have free liberty to pass over said bridge when built, also over a bridge on the west side of said island, when built, free from all charge as long as said bridges shall remain, the aforesaid sum to be paid in lumber at the market price," &c. A committee for attending to this subject was then appointed, consisting of Capt. Jos. Bradbury, Col. Humphry Pike, and deacon S. Scamman. The bridge built at that time, remained about

twenty years, when it having become decayed and unsafe, the present one was erected by Col. Cutts. The direction of the road was at the same time altered.

The first bridge on the west side of the island was erected by Col. Cutts, deacon Chase, Thos. Gillpatrick jr., and Benj. Nason, 1767. The next year, the General Court passed an act, "making the bridge lately built over the west branch of Saco river, from Biddeford side to Indian island, a toll bridge." Col. Cutts soon after bought out Chase and Nason; hence it was commonly known as Cutts's bridge. Col. Tyng, who owned the ferry way on the west side, strongly opposed the erection of this bridge, but the inhabitants of both towns considered it as a most valuable improvement, and highly applauded the enterprising proprietors. The freshet of 1785 proved fatal to the bridge, but another was immediately built by Col. Cutts at the same place, where the western free bridge now stands.

Two roads were laid out in Pepperrellboro', 1774; one in the lower part of the town, "from Old Orchard to the County road that leads from the lower ferry, so called, to Saco Falls." The other, "from Saco Falls up Saco river, and by said river as far as David Sayer's land, and across said land," now called the Boom road, in laying out which the selectmen began "on the mill privilege between Robert Bond's house and Humphry Pike's shop, and at the County road that leads from the Lottery bridge to Scarboro'," Col. Pike's blacksmith shop was nearly where that of Mr. John Billings now stands, and Mr. Bond's house was situated on the corner above. David Sawyer was settled near the boom, where his son, the late Abner Sawyer, sen. has since lived.

## CHAPTER VII.

Great unanimity prevailed in both towns on the subject of the differences with the mother country. The leading individuals were staunch whigs, and defended to the fullest extent the measures taken by the provincial congress, cutting off all intercourse with Great Britain. The following Resolutions, probably drawn by Mr. SULLIVAN, express a tone of determination, which shows that great as the sacrifice might be, the inhabitants were early prepared to bear their part in the unequal struggle.

“At a Meeting of the Inhabitants of the Town of Biddeford the 30th Day of July, 1774—Resolved,

1st. Whereas the Parliament of Great Britain has for the Express purpose of raising a Revenue, and an Unconstitutional Tax, on the English American Colonies, made Several Acts highly Distressing to said Colonies in General and this Province in Particular; by which Acts the Metropolis of this Province is Blocked up and distressed: the Civil Government of the Province Altered (as far as by said Act it can be) in the most Material and priviledged Points thereof: and particularly the Invaluable Right of a Trial by an uncorrupted Jury Intirely Destroyed:

2d. Therefore Resolved, that the Inhabitants of this Town now Assembled will in a Resolute, Manly and determined manner, pursue all such Legal and Constitutional methods as shall by the other Towns in this Province be thought Conducive to the restoration of our Natural Rights as Men and our Political Rights as Englishmen, and that no Inconvenience however Injurious to the private Interest of any of us, shall be a Sufficient cause to break this Resolution: And whereas the Committee of Correspondence for the Town of Boston has Transmitted to us Papers to be Signed by the Inhabitants of this Town, Which Papers contain certain Covenant Oaths and Agreements that the Subscribers thereto Shall break off all Commercial Intercourse with the Island of Great Britain until the Oppressive Acts aforesaid are totally Repealed: and the Inhabitants of this Town being very

Sensible that there is no Method yet Pointed out which tends so much to the advancing the Opulence of this Country and happy Extrication of it from its present difficulties and Distresses as the Universal Coming into and the Religious Observation of those Covenant Oaths and Agreements, or Others Somewhat Similar thereto :

3d. It is Therefore Resolved that if the Committee appointed by the late Honourable House of Representatives of this Province to meet the Delegates of the other Colonies in General Congress at Philadelphia or Elsewhere, And the other Members of said Congress, shall Advise to a Universal Withdrawment of our Commerce with the Island of Great Britain until the aforesaid Oppressive Acts of Parliament shall be Repealed, we will strictly Adhere thereto, And as our Dependance under God is chiefly placed in the Steady pursuance of such wise Measures as Shall be Recommended by the Congress—

We Therefore Resolve that whatever Measure shall be by said Congress Advised to and Complied with by the Majority of the other towns in this Province, shall be Literally and Strictly adhered to by us—

And we further Resolve that if any Person among us shall Demean himself Contrary to any Plan that shall be Laid for our Deliverance by the Congress and agreed to by this and the Majority of the other Towns in the Province, we will have no Society, Trade or Commerce with such Person, But will Esteem and Treat him as an Enemy to his Country.—Attest,

RISHWORTH JORDAN, *Town Clerk.*”

At a subsequent meeting, 22 Dec. 1774, a committee of safety and inspection was appointed, composed of Rishworth Jordan, Esq. James Sullivan, Esq., Capt. Benj. Hooper, Thomas Gillpatrick, Capt. James P. Hill. Mr. Sullivan was chosen, at the same time, Delegate to the Provincial Congress, and empowered to correspond with the neighboring towns. It was also voted, “that the Delegate inform the Congress that his Constituents think best to keep their own money to form a magazine of their own for their own defence. Resolved, that R. Jordan, J.

Sullivan, B. Hooper, James Carlisle, Thomas Gillpatrick, Benj. Staples, Allison Smith, Josiah Stimpson, Jere. Hill jr. Simon Wingate, James Staples, Aaron Porter, Jeremiah Cole, be a committee to provide a town stock of six half barrels of Powder, 5 cwt. of lead, and a sufficiency of flints, according to the number of persons in the Train band and Alarm list in said town, four barrels of which powder, and the whole of the lead and flints are to be kept entire until the Town shall otherwise order, or it shall become necessary to deliver the same to the said persons in the Train band or Alarm list. Also, Resolved, that the said committee dispose of the other two half barrels of powder at a reasonable price to such of the inhabitants of the town as have a mind to purchase the same with ready cash, to use it in defence of their Country. Voted unanimously. Attest, James Sullivan, Moderator."

Mr. Sullivan represented the town in the Provincial Congress until 1776, when he was appointed a justice of the Superior Court. Soon after that time, he removed his family to Groton, Mass. A profound respect was ever entertained by our inhabitants for the character and talents of Mr. Sullivan from the period of his first settlement among them as a young attorney. He was himself ready to acknowledge, at a late date, when holding a high and enviable rank among his contemporaries, the obligations which their favor had imposed on him. "I have a grateful remembrance," he says in a letter to Col. Tristram Jordan, "of the marks of confidence, and the acts of kindness done me by the people on your river, and wherever I can reciprocate their goodness, I shall cheerfully do it." The patriotic views of Mr. Sullivan, ably and eloquently expressed, on the commencement of hostilities with Great Britain, materially assisted in securing a united support of the war, and a harmony and concert of action in both towns. The Rev. Mr. Morrill was ardently engaged in the same cause. This gentleman, in the language of one intimately associated with him at that period, "was a superior man; of a deportment noble and dignified, seldom equalled, and never surpassed in this quarter. To this was added a capacity fully correspon-

ding ; intelligent, easy of access, and communicative, he ranked high as a scholar, as a divine, and as a statesman. In such a melancholy season as our struggle for independence, considering the general weakness or ignorance of the people, the value of such a man was incalculable. So deep an interest did he take in that all important concern, as a statesman, he spared no pains to guide every one into the right way, nor did he fail in this. To his long standing there, and the confidence of the people in him, was it owing in a great measure, that the principles of independence were easily disclosed and generally embraced. A remarkably close and friendly intercourse between Mr. Morrill and Mr. Sullivan, uniting their exertions, bore down all opposition."

The committee of Correspondence, Inspection and Safety, in Biddeford, 1776, was composed of Benj. Nason, Jonathan Smith, Joseph Morrill, John Dyer and Amos Gordon. The following order of the Mass. Council, accompanied by a copy of the DECLARATION OF INDEPENDENCE, was received and complied with at this time : "In Council, July 17, 1776. Ordered, that the Declaration of Independence be printed ; and a Copy sent to the Ministers of each Parish, of every Denomination, within this State ; and that they Severally be required to Read the same to their respective Congregations, as soon as Divine Service is ended, in the Afternoon, on the first Lord's Day after they shall have received it : And after such Publication thereof, to deliver the said Declaration to the Clerks of their Several Towns, or Districts ; Who are Hereby Required to Record the same in their respective Town or District Books, there to Remain as a perpetual Memorial thereof. In the name and by Order of the Council. R. Derby, President."

The following year, 1777, the Committee of Correspondence consisted of James Sullivan, Esq. Jos. Morrill, Obed Emery, Jos. Tarbox, and James Emery. Thomas Cutts, Esq. represented both towns in the Provincial Congress. Colonel Cutts was devotedly attached to the cause of the Revolution, notwithstanding his private interest suffered by the war to a very great extent ; for-



tunately for the country, the zealous whigs of that day considered their personal losses as light in the scale, when weighed against the sacred rights and cherished principles, in defence of which they took up arms. The first Committee of Correspondence chosen in Pepperrellborough, 9 Nov. 1774, was composed of Tristram Jordan, Esq. deacon Amos Chase, Paul Junkins, James Foss, and James Scamman. Messrs. Cutts and Junkins were appointed, at the same time, "Delegates for a County Congress." A separate Committee of Inspection was raised, "to see that the several Resolves of the Continental, Provincial and County Congresses, be complied with in said Pepperrellboro'," consisting of T. Jordan, Esq., deacon A. Chase, R. Patterson, deacon S. Scamman, Jos. Libby, Humphry Pike, and Dominicus Scamman.

At the March meeting 1775, it was voted "to divide the Militia Company in the District into four separate squadrons to exercise half a day, and once in every week, for three months to come, and to begin their Exercises at 2 o'clock in the afternoon and to have a teacher to learn them the military art, and said teacher to be paid out of the District treasury ; one part to be at the Old Orchard, so called ; another to be from Rumery's to the lower ferry ; another from said Rumery's up to the head of said District (or town,) and the other part at Dunstown so called." The last division included the families settled on the Scarboro' road, adjoining the parish of Dunston in that town. Rumery lived at the corner of the Old Orchard and Ferry roads. It was also voted, "to pay Jas. Sullivan, Esq. a proportionable part of his time and expense as a delegate to the Provincial Congress, with the town of Biddeford, for the time passed." The Committee of Correspondence, Inspection and Safety, the following year, were T. Jordan, Esq., deacon A. Chase, deacon S. Scamman, Joseph Bradbury, and Richard Burke. In the summer of 1779, a meeting of the inhabitants was called, to see if they would send a reinforcement to the army, when it was agreed, that all those, and those only, in the first place shall be drafted, that have not been heretofore drafted, and by law are liable to be drafted, except Lieut. James Foss's son who has

agreed to go into the Continental service, and when any persons are drafted and shall pay their fine, said fine shall be laid out in hiring men for said Continental service and what sum or sums of money may be wanting after the fines aforesaid be laid for the purposes aforesaid, the selectmen shall have full liberty to raise money on the inhabitants of Pepperrellborough, in the same manner as other public taxes are raised, sufficient to pay what shall be wanting to pay the full hire of those men who shall or may agree to go into the Continental service for the town of Pepperrellborough in consequence of a resolve of the Great and General Court made and passed June 9, 1779." The next year, Capt. P. Junkins, Elisha Ayer, Nicholas Dennet, James Foss, Thomas Dearing, were chosen a committee of Safety and Correspondence. And it was "voted to raise £350 for the men raised to go to Camden, if they go, otherwise to be paid to the treasurer for the town service." In October, the town "voted to raise money to pay for beef for the army agreeable to a resolve of Court." In January, 1781, Messrs. Samuel Boothby and James Coffin were appointed "a committee to hire six or seven men as soldiers for the army on the town's account, and not to exceed \$13 with the continental pay, per month." The town was required at that time to supply the army with eleven thousand and sixty two pounds of beef. The last committee of Safety was chosen 1782, and consisted of Col. James Scamman, Capt. Joseph Bradbury, Lieut. Samuel Chase, Lieut. William Cole, and Mr. James Coffin.

A large proportion of the inhabitants were occasionally in the service of the country during the war. Demands of men and provisions were constantly occurring, and it is believed no towns in this quarter contributed more liberally to the wants of the army in both particulars. The exact number of men furnished at different times, cannot now be ascertained, the necessary documents having perished. The names of all the officers and soldiers, to whose contempt of danger, patient endurance of unnumbered evils, and patriotic exertions, the whole country is under so great obligation, assuredly deserve to be kept in lasting remembrance, and to be inscribed in the annals of

the towns and parishes to which they may have severally belonged. A general history of the war necessarily distinguishes but few of the actors, those only whose elevated rank, or signal daring, placed them in situations where they could be separated from the mass of heroes. As on the field of battle, the solid phalanx, with its principal leaders, can alone be discerned; the individuals composing the valiant host sink inglorious, undistinguished, unhonored. It thus becomes the grateful duty of the local annalist, whose range is circumscribed, to recall the names of the obscurest persons, where it is practicable, who "poured out their blood like water" in a noble cause, and award to them the meed of praise which is their due. We would it were in our power to discharge this sacred obligation in a satisfactory manner, in reference to our townsmen, which the deficiency of materials, as already noticed, prevents. The names of such as have reached us, will, however, be given.

Col. James Scamman led a regiment to Cambridge early in 1775, and remained about one year. This gentleman was well fitted to shine in the military profession; possessing energy, vigor of mind and body, and a gaiety of temper that engaged the goodwill and attachment of those under his command. We have been assured by persons who served with him, that his bravery could not be justly questioned, and yet a misdirection of his regiment on the memorable 17th of June, has been made the occasion of reproach. Col. Scamman received orders to repair to Bunker hill; while on the march learning that the enemy were landing at Lechmere's point, he deemed it his duty to advance on that quarter, and by this diversion failed to be in the battle which followed on Bunker hill. An investigation of the Colonel's conduct soon after took place, before the proper tribunal, when he was honorably acquitted. Attempts were, however, made to injure his reputation, by individuals who aspired to his commission, and at the end of the year he resigned. Col. Scamman afterwards entered into trade with his brother, Mr. Nathaniel Scamman, and built the large house now in the rear of Messrs. Scamman & Andrews' stone block, where at that period they both lived. The

latter subsequently built the house now occupied by his son, Hon. George Scamman. The Colonel died 1804, at the age of sixty four years.\*

Maj. Ebenezer Ayer accompanied Arnold in the expedition to Canada, through the wilderness of the Kennebec, and was distinguished for his energy and bravery at that time. It is said he had the courage to saw off the pickets of an English fort, to enable the party to scale the walls. Maj. Ayer afterwards served in the engineer department, with the rank of Major. He did not return to Saco on the close of the war.

The late Jeremiah Hill, Esq. enlisted a company for three years' service, which he led to Boston. His brother, Daniel Hill, now of Gorham, held the commission of ensign. This company joined the regiment of Col. Jos. Vose (of Milton) at West Point, and was at the taking of Burgoyne, Octo. 1777. Capt. Hill returned at the expiration of one year, having resigned his commission. In 1779, he was appointed adjutant general of the forces sent by the State to Penobscot river.

The following names are those of non-commissioned officers or privates in the continental service from Biddeford. Bellamy Storer, (a brother of the late Capt. Seth Storer,) who died at Mount Independence, opposite Ticonderoga, 1776. John Hill, a brother of Capt. Hill, died of small pox at Brooklyn Fort, Long Island, the same year, where a grave stone was erected to his memory. He was twenty two years of age at the time of his death. Jotham Hill, (son to Mr. Ebenezer Hill,) died in the course of the war near Albany. John Peirce, lived at Limerick after the war. Aaron Gray, lately deceased, a pensioner under the act of 1818. Noah Smith. James Urian. Ezekiel Gillpatrick. John Griffin Davis. Samuel Gillpatrick. Nath'l. Gillpatrick. Caleb Spofford, died in the war. John Lee. Joseph Linscott. William

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\*The following lines furnished by the late Hon. Cyrus King, are inscribed on his tomb: "A man of infinite jest; of most excellent fancy."

'This stone to strangers may impart  
The place where Scamman lies;  
But every friend consults his heart,  
For there he never dies.'

Haley. James Pratt. Sylvanus Knox. Stephen Fletcher. Joshua McLucas, died in the war. John Haley, died at Mt. Independence. Josiah Davis. The present survivors are the following : Col. John Smith, now of Hollis, a militia officer since the war. Jeremiah Bettis, living at Little river, in the lower part of Biddeford, where he possesses a handsome estate. Ralph Emery. Philip Goldthwaite, keeper of the lighthouse on Wood island. Pelatiah Moore. Jos. Staples. Dominicus Smith. Benj. Goodridge. Joseph Hanscomb, now of Buxton.

From Pepperrellboro' (now Saco,) the following persons were in the continental service at some period of the war. John Googins, killed in the action at Hubbards-town, July 7, 1777, the day after the evacuation of Ticonderoga by the American troops. John was in the rear guard commanded by Col. Francis, a very gallant officer, who fell in the same engagement. Stephen Sawyer, son of David Sawyer, sen., died in the army. John Hooper, died during the war at Boston. Abiel Beetle, Nicholas Davis, Jonathan Norton, Daniel Bryant, James Scamman, son of Mr. Ebenezer Scamman, John Tucker, John Runnels, John Ridlon, John Carll, Eben. Carll, Evans Carll, William Carll, (sons of Mr. Robert Carll ; the name was often written Kearl.) Levi Foss, Pelatiah Foss ; the last fell at Ticonderoga ; sons of Mr. Walter Foss. Zechariah Foss, Elias Foss, sons of Mr. Joseph Foss. John Duren. Anthony Starbird. William Starbird, died in the army. William Berry. James Evans. Samuel Sebastian, died on North river. Joseph Norton. Maj. Stephen Bryant, an officer in the militia since the war. Josiah Davis. Joseph Richards. Those now living are : Ephraim Ridlon, Stephen Googins, who enlisted for the year 1776, and were in the company of Capt. Watkins, under Col. Edmund Phinney of Gorham. Ephraim enlisted again 1777, in Col. John Crane's regiment of artillery, and was gone three years, two of which he was waiter to Gen. Knox. Thomas Means, under Capt. Hart Williams, regiment of Col. Phinney. Solomon Hopkins. James Edgecomb. Solomon Libby.

A company was raised Feb. 1776, for a short term of service, from Buxton, Arundel, Biddeford, and Pepper-

rellboro', commanded by Capt. John Elden, of Buxton. The other officers were, 1st Lieut. Amos Towne, of Arundel; 2d Lieut. Samuel Scamman (late deacon); Ensign Jeremiah Cole, of Biddeford. The subordinate officers and privates from Biddeford were the following: Moses Bradbury, John Poak, Elijah Littlefield, Peirce Bickford, Phineas McIntire, Thos. Gillpatrick, William Nason, John Chase, (now of Saco,) Jona. Stickney, Humphry Dyer, Jacob Townsend, Timothy Cole, Jedediah Smith, Eliakim Tarbox, Jona. Smith, John Gillpatrick, Chris. Gillpatrick, Dodivah Bickford, Benj. Woodman. From Pepperrellboro'; Jerathuel Bryant, John Muchemore, Daniel Field, David Clark, Abner Sawyer, Joseph Norton, Andrew Patterson, David Sawyer, jr., James Edgecomb, Robert Bond, Daniel Field jr., Abraham Patterson, Moses Ayer, John Young, Hezekiah Young, Joseph Patterson, Win. P. Moody, Samuel Denet, John Scamman, Samuel Lowell. The company belonged to the regiment of militia under Col. Lemuel Robinson. Altho' gone but about two months, they assisted in the very important and admirably executed service, of fortifying Dorchester heights on the night of March 4. Dr. Thacher, who was in a relief party ordered on the ground the next morning, arrived there at the early hour of 4, when, he says, "we found two forts in considerable forwardness, and sufficient for a defence against small arms and grape shot. The amount of labor performed during the night, considering the earth is frozen eighteen inches deep, is almost incredible. The enemy having discovered our works in the morning, commenced a tremendous cannonade from the forts in Boston, and from their shipping in the harbor. Cannon shot are continually rolling and rebounding over the hill, and it is astonishing to observe how little our troops are terrified by them."\*

Several privateers were fitted out from the river during the war. The Thrasher, commanded by Capt. Benj. Cole, performed two or three cruises, but without accomplishing much. The vessel is said to have been partly

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\*Military Journal. 47.

owned in Salem. Mr. Elisha Ayer built a cutter on Main street, near the Thornton house, for Mr. Gray, of Salem; she was manned here for the first cruise. Others were fitted out at different times, by Col. Morrill and Dr. Fairfield. A few prizes were taken by them on the eastern coast, but of little value.

To this list of revolutionary worthies, we add the names of those citizens who were engaged in the war, and have since settled in the towns. Seth Spring, Esq. was in the battle of Bunker hill, and continued three years in the service. He came to Biddeford about 1780. Hon. Joseph Leland was also at Bunker hill in a company from Grafton, Mass. being at that time eighteen years of age. Mr. Leland remained in the army through the war, having received the commission of ensign at twenty, and afterwards that of lieutenant. He came to this town soon after the peace. Daniel Granger, Esq. from Andover, Mass. was a short time in the continental service. Deacon Samuel Woodsum was taken prisoner by a party of Indians under Brandt, in New York, and was sent to Canada, where he remained until peace took place. In 1783, deacon Woodsum bought a piece of wild land in the corner of the town, adjoining the river and Buxton line, now a very excellent farm. Mr. Benjamin Simpson, from York, was out during a part of the war. He commenced clearing the well improved estate on which he now lives, about 1790.\* Capt. Abraham Tyler, from Scarboro', (Blue-point,) was in the service the last three years of the war. Jesse Whitney was also out, and is now a pensioner. Two are deceased: Lieut. Moses Banks, from Scarboro', (originally of York,) an officer in Phinney's regiment, well known since the war

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\*Mr. Simpson assisted in the destruction of the tea at Boston, 16 December, 1773. At our request he has furnished the following account of what he personally witnessed in relation to that affair. "I was then an apprentice to a bricklayer, when two ships and a brig with tea on board arrived at Boston, with heavy duties, which the Bostonians would not consent to pay. The town being alarmed at such proceedings, called townmeetings day after day, night after night. The captain of the first ship that arrived, went (from the townmeeting) to the governor to see if he would give his ship a passport out by Castle island. At his return in the evening, (the town

as a skilful surveyor and draughtsman ; he died in Saco, 1825, aged 92. David Batchelder, who served also in the French war, died at Old Orchard, 1828, aged 88.

The only persons in the two towns who were opposed to the war, were Dr. Alden and Capt. Philip Goldthwaite. The former was mobbed by a party from Gorham, consisting of thirty or forty soldiers, at the illjudged instigation, it is said, of Col. Phinney and others of that place. The men were armed, and having taken the doctor, placed him in a kneeling posture on a hog'shead, in front of deacon Scamman's house, then a tavern. In this situation, with the soldiers paraded around him, presenting their guns to his body, he was required to recant his opinions, or suffer instant death. A confession was read to him, which he signed, stating that he had done wrong in justifying the proceedings of Parliament ; expressing his sorrow for every act of opposition to the whigs of which he had been guilty, and promising that in future he would be peaceable in his deportment, and aid the cause of Liberty as much as was in his power. "This," he was

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waiting the result of the application,) he was asked the governor's answer, which was that he should not grant a pass unless she was well qualified from the Customhouse. After the captain reported this answer to the meeting, a voice was heard in the gallery, *hope, she will be well qualified.* The captain was then asked if he would take charge of the ship and carry her out of Boston, notwithstanding the refusal of the governor ; to which he answered, No. (A whistle in the gallery—call to order.) The meeting was then declared to be dissolved, (in the gallery, *Every man to his tent!*) We repaired to the wharf where the ships lay. I went on board one or both ships, but saw no person belonging to them. In a few minutes a number of men came on the wharf, (with the Indian *powwow*,) went on board the ships then lying at the side of the wharf, the water in the dock not more than two feet deep. They began to throw the tea into the water which went off with the tide till the tea grounded. We soon found there was tea on board the brig ; a demand being made of it, the captain told us the whole of his cargo was on board ; that the tea was directly under the hatches, which he would open if we would not damage any thing but the tea ; which was agreed to. The hatches were then opened ; a man sent down to show us the tea, which we hoisted out, stove the chests, threw tea and all overboard. Those on board the ships, did the same. I was on board the ships when the tea was so high by the side of them as to fall in ; which was shoveled down more than once. We on board the brig were not disguised. I was then 19 years old, am now seventy five.—(Signed,)

BENJAMIN SIMPSON."



compelled to say in conclusion, "I heartily promise, and bind myself to, and am very thankful for my life." He was then discharged. The transaction was generally disapproved by our inhabitants, none of whom joined the party. Dr. Alden finally removed to Scarborough. Capt. Goldthwaite lived at Winter Harbor, and exercised the office of inspector for this port under the provincial government. He put himself under British protection as soon as the war commenced. His brother, Jos. Goldthwaite, Esq. of Boston, is named in the act relating to refugees, passed 1778.

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## CHAPTER VIII.

A meeting of the inhabitants of Biddeford was holden May 22, 1780, "to see if the town would approve, alter, or reject the new form of Government made by the Convention at Cambridge, March 2, 1780." The record is as follows: "The honorable Rishworth Jordan, Moderator. Adjourned to Monday, 29 inst. 2 o'clock P. M. Monday, May 29, 1780. Met according to adjournment. Resolved, that there be a form of government set up as absolutely necessary. Resolved, to accept the form aforementioned with the following alteration in the tenth Article of the second Chapter: All military officers ought to be appointed and commissioned by the Governor by and with advice of Council; Except, all Aids-de-camp ought to be appointed by their own Maj. Generals, Brigade Majors by their Brigadiers or Commandants of Brigades, Adjutants and Quartermasters by their Colonels or Commanding Officers of Regiments, and Commissioned by the Governor with advice of Council; for the following reasons: 1. Because they are liable to be under control by being dependent on the soldiers for their commissions, and therefore cannot act free and independent. 2. Because they are liable to be degraded or superseded in case of a vacancy by the soldiers, if

they do not act in conformity to their wills and capricious humors, without reason or against reason."

Other towns suggested alterations in like manner, especially in regard to the third article of the bill of rights. "But their acceptance of the Constitution did not depend upon the adoption of these amendments. Nor was it in the power of the Convention to incorporate them into the instrument, without another appeal to the people, which would not have been judicious."\*

The first election of State officers took place 4 Sept. 1780. JOHN HANCOCK was chosen governor four years in succession, after which he declined being a candidate for the office. The votes in Saco (Pepperrellboro') 1780, were, for Hancock 7, for James Bowdoin 3; 1781, for Hancock 27, for Bowdoin 2; 1782-3, all for Hancock. The votes in Biddeford the first two years are not recorded; 1782, the whole number, 14, were for Hancock. The number of votes cast in the county of York, that year, for state officers, was 161. Mr. Bowdoin was elected governor 1785-6, after which Gov. Hancock was again called to the chair, which he filled until his death, Octo. 1793. In 1785, (when Gov. Hancock was not a candidate,) the whole number of votes in Saco were thrown for Gen. Benj. Lincoln; the next year there was a majority for Gov. Bowdoin. In 1794, Samuel Adams received a majority of the votes of the town for governor, and the two succeeding years the whole number thrown. After the resignation of Gov. Adams, 1797, the votes in Saco stood, for James Sullivan 52, for Increase Sumner 2. The next year, (Mr. Sullivan having withdrawn,) Gov. Sumner had a majority.

There was no choice of senators in York County 1780; the four highest candidates were Edw. Cutts, of Kittery, Benjamin Chadbourne, of Berwick, Nathaniel Wells, of Wells, and Rishworth Jordan, of Biddeford; of whom the two former were elected by the Legislature. At subsequent periods, Saco has furnished four members of the Mass. Senate, viz. Col. Tristram Jordan, 1787; Joseph Bartlett, 1804; Joseph Leland, 1805 and 1808; Col. William Moody, 1812-19.

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\*Bradford. Hist. Mass. ii. 186.

Col. Jordan, whose early settlement at the Falls has been noticed, removed to his estate at Deep-brook about the close of the revolutionary war, where he died 1821, at the age of ninety years. He was eminently the father of the town; no other individual was so often entrusted with the direction of its affairs, or exercised an equal degree of influence during the early period of its separate incorporation. He was at the same time distinguished for his private enterprise and assiduous attention to business. Having been engaged when a young man in several short voyages, he received the offer of an European ship, before he became of age, which he declined, not choosing to follow the sea. One of his trips to Halifax, N. S. is worthy of notice. That town was laid out, and its settlement commenced, 1749, under the direction of Col. Cornwallis, the governor of the colony. Three hundred houses were built the first year,\* of which the materials were partially supplied from this quarter. Young Jordan was employed in this business, and on one occasion took out with him the frame of the first church erected in Halifax, which he had contracted with Cornwallis to furnish. The timber was from Deep-brook. At a later date, Col. Jordan was best known as a magistrate, having performed the greater part of the duties devolving on a justice of the peace, for the east side of the river, until quite advanced in life. His first wife, died 1775; their children were two sons and seven daughters. Of the latter, Elizabeth, the eldest, was married to William Vaughan, Esq. of Scarboro', afterwards of Portland, 1772; Sarah, to Mr. Nathaniel Scamman 1775; Hannah, to Capt. Solomon Coit, the same year, and after his decease, to James Perkins, Esq. of Kennebunk-port, 1797; Olive, to Capt. Seth Storer, 1776; Mary, to Daniel Granger, Esq. 1792. Capts. Coit and Storer were eminent ship-masters at a period when the art of navigation was not so generally understood as at the present time. The former built the house now occupied by Capt. Samuel Hartley. Col. Jordan was twice married after the decease of his first wife, and left two sons and a daughter by the last connection.

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\*Haliburton. Hist. N. Scotia. ii. 12.

The second gentleman who was elected to the Senate from Saco, Joseph Bartlett, Esq. the eccentric author of "Aphorisms" &c. practised law several years in town, at first with good reputation. The year in which he was chosen senator, Mr. Bartlett received nearly all the votes in Saco, and a large majority in Biddeford. He removed afterwards to Portsmouth, N. H. A singularly constructed, but not inelegant house, which he built, standing near the site of the old Ferry house, remains a characteristic monument of its projector. Mr. Bartlett was supposed to be the conductor of the "Freeman's Friend," a newspaper published in town 1805-6, by Mr. William Weeks. He was undoubtedly the principal contributor to its columns.

The services of Col. William Moody in the Mass. Senate, were continued through eight successive terms. The general support which he received from the towns in the county, is sufficient evidence of the high estimation in which he was held as a public man. His father, William Pepperell Moody, came to this town from Kittery, and was married to Elizabeth, daughter of Mr. Samuel Scamman, 1763. William was born July 10, 1770, and was seventeen years of age at the time of his father's decease. He enjoyed no further advantages of education than were afforded by the common district schools; of the full benefit of even these, he was partially deprived by the early necessity of applying to a means of support. His father and grandfather were joiners by occupation; the latter, Mr. Edmund Moody, was the architect of the first meetinghouse in Saco, as already stated; and the former early initiated his son in the same business, which he ever after pursued. Col. Moody represented the town in the Legislature eight years in succession, from 1804 to 1812; and during that period, and the succeeding eight years, in the other branch, he became by the force of native intellect alone, without the benefit of early cultivation, a prominent and highly useful member of that body. In the Convention by which the Constitution of Maine was formed, having been elected one of the delegates from Saco, Col. Moody often took part in the debates, and was distinguished for the

ease and clearness with which he expressed his views. He was returned a member of the first Senate of Maine, and presided over its deliberations after the resignation of Gen. Chandler. About the same time he was appointed Sheriff of York County. His death occurred suddenly, March 15, 1822, while he was in the midst of life and usefulness, and was universally lamented.

In the course of the war, Feb. 9, 1778, died the Rev. Moses Morrill. The names of his children, born 1744-76, are the following : Samuel Jordan, John, Joseph, Sarah, Hannah, Olive, Mary, Elizabeth, Tristram, Abigail, Tristram, Nahum, and Moses. He was succeeded in the ministry by the Rev. NATHANAEL WEBSTER. The ordination of this gentleman took place April 14, 1779. The town voted him a salary of £75, to be paid in the following manner : 45 bushels of corn, at 4s. ; 4 bushels rye, at 5s. ; 400 lbs. pork, at 5d. ; 50 lbs. wool, at 1s. 8d. ; 50 lbs. flax at 8d. ; 100 lbs. butter at 8d. ; 4046 lbs. beef at 20s. per cwt. ; 1 quintal fish 21s. ; 2 tons good English hay at £3. The salary was soon after raised to £80, (\$266,66.) A separate parish, called the Second Religious Society in Biddeford, was incorporated 1797. The principles on which this society was formed, were professedly liberal, as the following article from its Rules and Regulations sufficiently shows : "To prevent all religious disputes respecting doctrines, as every Christian, or religious Society, has an undoubted right to put his or their construction upon the Scriptures, a point of Orthodoxy, or a mere Article of faith, shall never be a fit subject to lay before any council, reference, or any description of Men whatever." The upper meeting-house was built by the Society at that time. The first regular pastor was the Rev. JOHN TURNER, previously of Alfred, who was installed 1808. Mr. Turner remained until 1817, when his connexion with the Society was dissolved. In the year 1823, the Rev. THOMAS TRACY, from Cambridge, came to Biddeford, and preached several sabbaths so much to the satisfaction of the Society, that a call was soon after given him to settle with them for the term of five years ; which he accepted, and was ordained Jan. 14, 1824. Many of the most

efficient members of the society were resident in Saco, and on the formation of the Second Parish in this town, it was agreed that Mr. Tracy should transfer to it his pastoral care. He was accordingly installed in Saco, Nov. 21, 1827. The meetinghouse was dedicated at the same time. It is a handsome edifice, 76 feet in length by 46 in breadth; built on contract by Mr. John Johnson. Mr. Tracy's connection with the Parish was dissolved in the autumn of 1828.

An act of incorporation was obtained by the First Parish in Biddeford, 1798. The Rev. Mr. Webster was invited to continue the pastor, and accepted. In 1825, he consented to have a colleague, and, Octo. 26, Rev. JONATHAN WARD, jr. of Plymouth, N. H. was ordained. Mr. Ward died early the following year. He was succeeded, on a temporary engagement, by Rev. D. D. Tappan, now of Alfred. In January, 1828, the present pastor, Rev. CHRISTOPHER MARSH, was ordained, and receives a united support from members of both Parishes, preaching alternately in the two churches. After the settlement of Rev. Mr. Marsh, the senior pastor withdrew from the labors of the ministry, in which he had been so long and happily engaged, and took up his residence with a son in law in Portland. He died 8 March, 1830, aged eighty one years. Mr. Webster was born at Kingston, N. H. and graduated at Harvard Coll. 1769. Two of his sermons have been printed, one of which, delivered before a convention of ministers at Buxton, 1815, inculcates the sufficiency of the scriptures, independent of creeds, as a standard of religious faith. The character of Mr. Webster was that of a cheerful and benevolent man; by the practice of the social virtues, in which he excelled, he attached to himself the best affections of his people.

The ministerial labors of the Rev. Mr. Fairfield were continued during a period of thirty six years. "On April 2, 1798, at his repeated request," as it appears from a record of that date, "a perfect harmony subsisting between him and the People, he was dismissed from the work of the ministry in Pepperrellboro', by the People, at their meeting on that day." Mr. Fairfield performed

in a diligent and satisfactory manner the duties which devolve on a pastor and teacher. Possessing a thorough acquaintance with the sacred volume, he infused its spirit into his discourses, which were prepared with the utmost care, and, in point of style, were not unworthy his reputation as a scholar. During his ministry the number of baptisms was 778; of admissions to the covenant, 177; to full church membership, 9. The exactness with which Mr. Fairfield recorded the memoranda from which the above statement is gathered, and others of a similar character, shows that he was not inattentive to the smallest clerical duty. The records which he has thus left, relating to the people of his parish, are minute and extremely valuable. Mr. Fairfield resided in Biddeford several years prior to his decease; he died 16 December, 1819, aged eighty three years. His funeral was attended by the neighboring clergy; prayers were offered on the occasion by Rev. Mr. Lancaster, of Scarboro'; and a sermon delivered by Rev. Mr. Webster. In concluding this brief and imperfect notice of the gentlemen to whom our inhabitants for so long a period looked up for advice and direction in their religious, moral, and even temporal concerns, we cannot refrain from noticing the fact that their relations with each other were ever of the most friendly character. No root of bitterness seems to have sprung up to mar the pleasures of a constant intercourse on terms of the strictest intimacy. Messrs. Morrill and Fairfield invariably passed one day in seven together, during the time in which they were fellow laborers in the work of the ministry. Their houses were situated on not very remote points of the river, and usually on Monday morning of each week one of them crossed alone in a boat, to pass the day with his friend. With the successor of Mr. Morrill, an intercourse equally cordial was maintained by Mr. Fairfield, which terminated only with life. A similar remark may be extended to the other neighboring ministers, whose mutual friendship was undisturbed by professional jealousies, or the agitation of doctrinal disputes. Mr. Webster has been often heard to say, that in former times there was not a clergyman between his parish and Boston with whom he was not enabled to ex-

change; such was the harmony then existing in the religious community.

Mr. ELIHU WHITCOMB, a graduate of Harvard Coll. 1793, was ordained successor to Mr. Fairfield, 3 July, 1799. The discourse on this occasion, afterwards printed, was delivered by Rev. Nathaniel Thayer, D. D. of Lancaster, Mass. The present spacious meetinghouse of the First Parish was erected during the ministry of Mr. Whitcomb, who preached at its dedication, Feb. 12, 1806. The discourse was printed. The edifice was regarded as the largest and most elegant in Maine for a considerable period. Its dimensions are 90 feet in length by 54 in breadth; the spire 126 feet in height. The cost was estimated at \$18000. The building committee, of the proprietors were deacon S. Scamman, Foxwell Cutts, Esq. Capt. Seth Storer, James Gray, Esq. and Mr. Edmund Moody. The master builder was Mr. Bradbury Johnson. The old house (which was 54 by 40 feet,) served several years the purpose of a townhouse.

Mr. Whitcomb discontinued preaching in the summer of 1810. He was succeeded by Rev. JONATHAN COGSWELL, from Rowley, Mass. a graduate of Harvard Coll. 1806. The ordination of Mr. Cogswell took place 24 Octo. 1810; sermon by the late Rev. Dr. Appleton, president of Bowdoin Coll.; charge by Rev. Paul Coffin, D. D. of Buxton; right hand of fellowship, by Rev. John Turner, of the Second Parish in Biddeford. Mr. Cogswell sustained his connexion with the town for fifteen years, at the expiration of which period the society was constituted a distinct parish. In October, 1828, induced by the failure of his health, Mr. Cogswell resigned his pastoral relation, after a laborious and successful ministry of nearly eighteen years. He is now happily settled in the town of New Britain, Conn. The present pastor of the First Parish, the Rev. SAMUEL JOHNSON, a graduate of Bowdoin Coll. 1817, was installed Nov. 5, 1828.

About the year 1782, a few converts were made in the north part of the town, to the religious belief of the FREEWILL BAPTISTS, under the preaching of Elders Randall and Hubbard. The number was not much in-



creased until 1808, when a church consisting of 85 members, was organized. The present meetinghouse, 44 by 36 feet, was erected the following year ; its distance from the Falls is about six miles. The society was incorporated 1811. Elder GEORGE PARCHER was qualified as a preacher in 1810, and has continued from that time to the present, the stated minister of the society.

A Calvinistic Baptist Society, composed of families in Buxton and the upper part of Saco, was incorporated 1807. A meetinghouse had been built five years before, which stands on the line dividing the two towns. The Rev. Abner Flanders formerly preached alternately in this house and in Buxton. The dimensions of the house are 46 by 36 feet.

In February, 1827, a church of the same denomination was formed in the village, under the ministry of Rev. Frederic Clarke, consisting originally of seven members ; the present number is forty six. The frame of a meetinghouse, yet unfinished, was raised by this society in the fall of 1828. Their meetings are now held in a vestry.

A class or society of Wesleyan Methodists was formed in Saco, under the preaching of Rev. Asa Heath, 1804 ; the number, at first about twenty, has increased to nearly fifty. The town has been a station only two years, having previously formed a part of a Circuit. The first methodist sermon preached in Maine, was delivered in this place, at the house of Mr. Elisha Ayer, Sept. 10, 1793, by Rev. Jesse Lee, of Virginia, author of a History of Methodism.\*

AN EPISCOPAL SOCIETY was incorporated March, 1827. A church was erected the same year, 65 feet by 46, the cost of which, including the land, is estimated at \$4500. The exterior of the edifice is in the Gothic style, and exhibits a handsome appearance. The first minister of this denomination in Saco, since the time of the original colonists, was the Rev. Eleazer M. P. Wells, now of South Boston, under whose temporary labors the society was formed. He was succeeded by the Rev. Horatio Potter, at present a Professor, and Rev. Samuel Fuller,

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\*Greenleaf. Eccl. Sketches. 280.

a tutor, in Washington Coll. Hartford, Conn. In Feb. 1829, Rev. CLEMENT F. JONES was instituted Rector, but, in consequence of ill health, resigned the situation in August following. The Rev. Gideon W. Olney, late of Gardiner, has since officiated as Rector.

The "First Universalist Society of Saco and Biddeford" was formed in April, 1827, and consisted at that time of thirty one members. The Rev. Jacob Wood was their minister during one year.

A site for a Roman Catholic chapel was purchased by Father French, and conveyed to the Bishop of Boston, in trust for the Catholics of Saco, March, 1827. It is on the corner of Elm and North streets (Buxton road). No further measures have yet been taken for the erection of a church.

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## CHAPTER IX.

The immediate successor of Mr. Sullivan in the practice of law at Biddeford, was the late Hon. GEORGE THACHER, who came about 1782, having previously resided a short time at York. On the termination of the war, business became once more flourishing on the river, and enterprising men from various parts of New England removed into this quarter. The interior at the distance of a few miles only from the sea, had remained comparatively wild and uncleared, notwithstanding the antiquity of the maritime settlements, and the proprietors were just beginning to look up their lands, to which the titles in many instances going back to a remote period, were not established without difficulty. Litigation under these circumstances was unavoidable. Mr. Thacher, who had prepared himself for his profession in a very diligent and faithful manner, almost immediately entered upon a great extent of practice, and became highly popular and successful as an advocate, attending the terms of the courts in all the counties of the District. "He had great acute-

ness of mind," says a distinguished cotemporary, in an elegant tribute to the memory of our townsman, "much law learning, and was able to bring to his aid in argument more general knowledge on scientific subjects than any of his competitors." In the meantime, before the adoption of the Federal Constitution, he was chosen by the Mass. Legislature a delegate to Congress, and afterwards was successively elected by the people a member of the house of Representatives in Congress, until 1801, when he resigned his seat, and accepted the appointment of an associate justice of the Supreme Judicial Court of Mass. "While in Congress," in the words of the writer already quoted, "Judge Thacher was by no means an undistinguished member. The debates of that period will show that he took an active part in all the important concerns of the time, and his speeches will be found to contain, in the midst of frequent irony and sometimes sharp satire, much useful information and sound argument.

\*\*\* "On the bench of the Supreme Court, Judge Thacher was a faithful and upright public servant. His mind was well stored with legal principles, and his strong memory enabled him to apply them to the question that occurred, with great facility. \*\*\* His associates upon the bench have been often heard to say, that in their consultations upon cases argued, his discriminating powers, sound technical knowledge, and recollection of old cases, not reported, have been invaluable to them. His integrity, independence, impartiality and firmness have been surpassed by none who have adorned the seat of justice."

Judge Thacher was a descendant, of the fourth generation, from Anthony Thacher, a planter, who came to New England 1635, and was one of three grantees of land at Yarmouth, in the Colony of Plymouth, Jan. 7, 1638-9, where he settled the same year. He died 1668, at an advanced age\*. His son, Col. John Thacher, of

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\* "An Essay for the recording of illustrious Providences," by Dr. Increase Mather, contains a letter from Anthony Thacher to his brother, Rev. Peter Thacher, of Sarum, Eng. describing the shipwreck of himself and family, with many others, on an island near Salem harbor, since called *Thacher's island*, 14 Aug. 1635. They had embarked at Ipswich, Mass. for Marblehead. None were saved except Mr. Thacher and his wife.

Yarmouth, was elected a member of the provincial Council on the union of Plymouth Colony with Mass. Bay, under the charter of 1692, and continued in that capacity nearly twenty years. Peter Thacher, the oldest son of the Colonel, was appointed a justice of the Court of Common Pleas, 1720 ; he also resided at Yarmouth, where his son, Peter Thacher jr. the father of our respected townsman, was born and passed his life. He married Anner, daughter of Mr. George Lewis, of Barnstable ; the Judge was the youngest but one of their eleven children, and was born 12 April, 1754. He was prepared for college by Rev. Timothy Hilliard, of Barnstable, afterwards of Cambridge, and graduated at Harvard Coll. 1776. He pursued the study of law with S. Bourne, Esq. of the former town, but was employed as an instructor some time before he commenced the practice. Soon after settling in Biddeford, he married Sarah, daughter of Samuel Phillips Savage, Esq. of Weston, Mass. July 20, 1784. Mr. Savage, his father in law, had resided in Boston before the war, and was among the leading whigs of that period.

On the separation of Maine, Judge Thacher removed to Newburyport, where he resided until January, 1824. He resigned his office at that time, and returned to pass the remainder of his life, already protracted beyond his own anticipations, in that retirement which, in his best days, he had sought and loved. He died on the 6 April following, and was buried in the graveyard adjoining the meetinghouse of the Second Society. His children were five sons and five daughters ; of the latter, Lucy Savage, wife of the late Col. Abner Sawyer, died Aug. 1820. The others survived their father. The house in which Judge Thacher lived during nearly the whole period of his abode in Biddeford, is situated about one mile west of the Falls ; it is a plain, unostentatious dwelling, consisting of one story, with nothing about it of an ornamental nature except a few fir trees of singular beauty. The office or study of the Judge was opposite the house, and contained his valuable library, which comprised a rare collection of legal, philosophical and theological works. A part of these he bequeathed to Bowdoin College.

The habits of the Judge were eminently studious ; in the vacations, a book was usually his steady companion. He read slowly, and with so perfect an abstraction of the attention, that he suffered no interruption in the midst of his family. He was far, however, from being averse to society ; none surpassed him in the disposition and the power to render those around him happy. His company was eagerly sought by the young as well as the old, on all social occasions, to which his presence added freedom rather than restraint. His religious opinions were of a liberal character ; having formed an acquaintance with Dr. Priestly at Philadelphia, during the sessions of Congress, he imbibed the theological doctrines taught by that celebrated man, which his subsequent reading had the effect to confirm and establish in his mind. The Second Society in Biddeford, one of the earliest in America that departed from the standard of strict orthodoxy, (as noticed in a publication of the late Mr. Belsham, of London,) was formed through the influence of Judge Thacher.

The following additional extract from the able article before quoted, gives a no less just than striking view of the private and domestic character of this great and good man.

“It is in private life, among his friends and in his family, that we are to look for those virtues or blemishes which exhibit the real features of moral beauty or deformity that make up the character of man. And it is in this department that I would chiefly hold up my departed friend as an example. His heart was most disinterestedly benevolent and kind ; all human beings were his friends and brothers. He either could not see faults or he would not acknowledge them. Even the poor criminal at the bar, had sometimes more of his compassion than suited the stern demands of justice. He had apologies and palliations for every body, and altho’ he often indulged his natural proneness to satire in the presence of those with whom he was called into conflict, no man can remember that he ever said a harsh thing of any one who was absent. He had a vein of wit and humour which irresistibly propelled him to put into ludicrous shapes the arguments and opinions of those with whom he entered

into the war of words ; but his heart never took side in the struggle, and the first appearance of wounded feelings, would blunt his weapons and make him give the field to his adversary. No better proof can be given of the universal admission of the real kindness of his temper and feelings, than the fact that those who have been the most exposed to the keenness of his controversial talent, have been his ardent, most constant, most unshaken friends, till his death. In his domestic relations, he had no fault unless an excess of kindness and indulgence be one. Surrounded by his sons and daughters, and their children, and having the government of his family upon equal terms with a most exemplary and excellent wife, his humble dwelling was the abode of peace, love and benevolence. It was also the scene of the most unlimited, frugal hospitality, where every human face was received with welcome. Great personages, the President of the U. S. and several foreign noblemen, have partaken of his hospitality under his roof, and though they saw nothing of pomp, parade, fashion or circumstance there, I doubt whether they ever received more favorable impressions in their visits to the wealthy and powerful."

The next attorney in Biddeford was George Stacy, Esq. who came about 1789, and remained two or three years without obtaining much professional business.

HON. PRENTISS MELLEN, the present Chief Justice of the Supreme Court of Maine, removed to Biddeford, July, 1792. Judge Mellen occupied the house now Dr. Dean's, and resided in town until February, 1806, when he removed to Portland.

HON. SAMUEL HUBBARD, of Boston, commenced the practice of law in Biddeford, November, 1806. He removed to Boston, September, 1810.

HON. WILLIAM PITT PREBLE, now Minister to the Netherlands, succeeded Mr. Hubbard. He soon after changed his residence to Saco.

The late Hon. CYRUS KING was the first regular attorney in Saco. He was the son of Richard King, Esq. a successful merchant, prior to the revolutionary war, in Scarboro'. Mr. King married Isabella, daughter of Mr. Samuel Bragdon, of York, 1753 ; this lady died 1759,

leaving three children, Rufus, Mary, and Paulina. The son was the late distinguished statesman of New York; Mary, the eldest daughter, was married to Hon. Robert Southgate; Paulina, to Dr. Aaron Porter. Mr. King afterwards married Mary, daughter of Mr. Samuel Black, of York; of their five children, Cyrus was the youngest. The father died 1775, at the age of fifty seven. Cyrus was prepared for College at Phillips Academy, Andover, Mass. and entered Columbia College, in the city of New-York, 1790. He graduated with the highest honors of the institution, and commenced the study of law with his brother in that city. When the latter received the appointment of Minister to Great Britain, 1796, he went out as his private secretary, but desirous of completing his professional studies, he returned at the expiration of one year, and entered the office of Judge Mellen in Biddeford. He commenced the practice in Saco. In Octo. 1797, he was married by Rev. Mr. Fairfield, to Hannah, eldest daughter of Capt. Seth Storer. Possessing brilliant and highly cultivated powers of mind, united with habits of patient and zealous application, Mr. King soon rose to eminence in the profession. As an advocate, he was unrivalled; his style of speaking was elevated and commanding; rich in the higher graces of polished oratory, and, at the same time, argumentative and convincing. "In the vehemence and gravity of his manner," says a Rev. writer, "he resembled rather the Grecian than the Roman orator. His addresses were more like an impetuous torrent descending from the mountains, than a smooth, gentle stream winding its way over the plains." In 1812, Mr. King was elected a representative in Congress, and retained his seat until 1816. His speeches on the floor of Congress, it is almost unnecessary to say, were not unworthy the reputation he enjoyed at the bar. In 1815, he was chosen Major General of the 6th Division of the Militia; an office on which he conferred honor. He died suddenly, 25 April, 1817, at the age of forty four years.

Judge PREBLE resided in Saco from 1812 to 1817. There are at present nine attorneys and counsellors in Saco, and one attorney in Biddeford.

**PHYSICIANS.** Dr. Rice came to Saco about 1786, and remained a short time. He removed to Scarboro'.

Dr. THOMAS G. THORNTON, late Marshal of Maine, settled in Saco, 1791. He was married to Sarah, daughter of Col. Cutts, 1793, and soon after relinquished his profession for mercantile business. In 1803, he was appointed Marshal, and continued in that office until his decease, March 4, 1824.

Dr. John Allen, from England, commenced practising 1796; he died 1825.

Richard Cutts Shannon, M. D. of Dover, N. H. a graduate of Harvard Coll. 1795, studied medicine with Dr. Jacob Kittredge of that place, and obtained a commission of surgeon in the U. S. navy. He was not long in the service, having settled in Saco in the fall of 1800. For a period of nearly twenty eight years, Dr. Shannon was the principal physician of the town. He died suddenly, 19 April, 1828, universally lamented. At the time of his decease, Dr. Shannon was deacon of the first church, of which he had been for many years an exemplary and justly esteemed member.

There are at present two physicians in Saco, and the same number in Biddeford.

Prior to the revolutionary war, there appears to have been no Collector of the customs stationed at Saco river; the vessels were probably registered at Falmouth, but the books not having been preserved, we are unable to recur to the state of navigation at that period. During the war, Mr. Nathaniel Scamman was commissioned for that purpose by the provincial legislature. The first collector under the Federal government, was Jeremiah Hill, Esq. who was appointed 1789, and retained the office until 1804. He was succeeded by Daniel Granger, Esq., the late incumbent.

The late Hon. Matthew Cobb, of Portland, was the principal merchant in Biddeford at that period. He came from Barnstable, Mass. about 1780, with a stock of goods for which he had obtained credit. In a few years he amassed a large property, occupying a store which still remains in a ruinous condition, nearly opposite that of Mr. Deshon. Mr. Cobb removed to Portland 1796.



The late Daniel Cleaves, Esq. one of the most successful merchants in this quarter, came from Danvers, Mass. to Saco, 1790, with a small stock of goods and commenced business in a building that stood near the house of Capt. Warren. He afterwards built the store now occupied by Mr. S. Adams, and in 1797, formed a partnership with Jona. Tucker, Esq., which continued sixteen years. Mr. Cleaves was married to Sarah, daughter of Rev. John Fairfield, 1795. He died 1817, at his seat in Biddeford, in the forty seventh year of his age.

Foxwell Cutts, Esq. the oldest son of Col. Cutts, was largely interested in navigation for several years previous to the late war. His large and costly ships were profitably employed in freighting valuable cargoes to various parts of the world. Mr. Cutts built at that period the mansion house afterwards occupied by Marshal Thornton. He died 1816, at the age of fifty one.

The property of the Pepperell family, in Saco, passed into other hands towards the close of the last century. The young Sir William having adhered to the crown and left the country on the commencement of the war, his estates were confiscated, by an act of the General Court, 1779. A life interest in them was enjoyed by Lady Mary, the relict of the former Sir William, and Mrs. Elizabeth Sparhawk, his daughter, as devised to them by his will. In exchange for the right thus arising, the State assigned two ninths in absolute property to Lady Mary and her daughter, by a deed executed 1788. The latter appointed Charles Chauncy, Esq. her agent soon after, by whom several lots were sold in Saco. In 1801, the sale of the *mill lot*, on the lower side of Main street, forty rods in width, and from the river to the middle line in length, took place. The house lots on Middle and High streets, and the eastern side of Main street, were laid out and sold at that time by Hon. David Sewall, the agent of the Commonwealth. A grant of ten acres was made to the town, "for the purpose of placing a meeting-house, and for a trainingfield and burying ground." Judge Sewall located one acre for a meetinghouse where that of the First Parish has been since erected; the remaining nine acres were located contiguous to the other

town land. A company was formed about this time for the purpose of building a wharf, who purchased of the agent the land necessary for that object. The wharf was commenced soon after. The other wharf, near the free-bridge, where Pepperrell's had stood, was built by Messrs. Cleaves and Tucker, and Capt. Spring at the same time.

The Pepperrell half (about 1200 acres) of the Great lot, was purchased in different portions by Col. Cutts; who also obtained the title to nearly 1000 acres of the remainder of that tract, valued by the appraisers of his estate at \$20,450. The Pepperrell half of the sawmill was purchased by the Colonel, with other parts of the confiscated property. Col. Cutts died Jan. 10, 1821, aged eighty five years. The real estate which he possessed at the time of his decease, was estimated at nearly \$100,000 in value. The improvements on the island at that time, were a large Iron factory, two sawmills, double and treble, a treble gristmill, with various mechanics' shops. The Iron works were erected under the direction of Josiah Calef, Esq. 1811, and owned jointly by Mr. Calef and Col. Cutts. They are still in operation, and comprise a rolling and slitting mill, and eleven machines for the manufacture of nails. At present about 3500 lbs. of nails are produced per day in this valuable establishment.

In the spring of 1825, the island, with the exception of a small part, the property of Mr. D. Cutts, was purchased by a Company, principally of Boston, for the purpose of erecting a Cotton Factory. The Iron works with the other improvements were included in the purchase. The whole cost to the Company was \$110,000. They bought at the same time a considerable part of the privileges on the opposite side of the river, for \$10,000. The operations of the Company were not rapid in their progress. The first year preparations only were made. In 1826, a mill was erected, 210 feet in length, 47 in breadth, consisting of seven floors, and calculated to contain 12000 spindles and 300 looms. The excavation of a canal, leading from the head of the Fall to the site of the factory, and carried in part through a bed of solid rock, was attended with great labor and

expense. A large number of experienced and skilful workmen were employed in the construction of the necessary machinery, and the establishment was gradually put in operation. In the summer of 1829, there were about 500 persons connected with it, of whom more than four hundred occupied the Company's tenements on the island. The goods manufactured acquired a high reputation in the market, and notwithstanding the pressure of the times, a handsome profit was realized from the proceeds of the sales. Early in the present year, the stock of machinery for the whole establishment was completed, on which the sum of \$200,000 had been expended by the Company. But the fruits of all this labor (much of which was executed with a skill and ingenuity seldom equalled,) and expense, were unfortunately swept away by the late destructive conflagration. The fire commenced at about 2 o'clock P. M. on Sunday, Feb. 21, in the basement story, and rapidly extended through every part of the building, leaving it in the course of three hours a heap of smouldering ruins. Thus perished one of the noblest monuments of New England enterprise, and the well founded expectations of its enterprising projectors and proprietors.

The superior advantages presented by the island (which comprehends a surface of about 30 acres) for manufacturing purposes, cannot be suffered to remain long unimproved. The mill sites which it contains are not surpassed in New England.\* The water on the western side descends from forty to fifty feet, and is abundant at all seasons of the year; neither drought nor frost impairs the value of the privilege. The convenience of sloop navigation almost to the foot of the Falls, and the ready supply of the materials for building, in the inexhaustible beds of clay and quarries of stone within the immediate

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\*In a slight sketch of the condition of the town, prepared by Rev. Mr. COGSWELL, for the Mass. Hist. Society, 1815, the writer observes: "It is no exaggeration to say, there is probably not a better place in the world for all kinds of mills and factories. Vessels of 100 tons can come up within a few rods of all these mill seats, where there is through the year water enough for 2000 mills and factories. This town will one day be celebrated for its manufactories."

vicinity, offer a rare combination of facilities for the erection of extensive works.

The Lumber trade has long been the principal branch of business on Saco river. In early times the mills were supplied with logs from the forests in the vicinity of the Falls ; in the former part of the last century, they were procured at the distance of a few miles above the mills. In the winter of 1772, it is said, a few persons for the first time ascended the river as far as Fryeburg in quest of timber, and finding an abundance, turned the attention of millmen to that region for their future supplies. After the war the number of mills was increased. Before the year 1800, seventeen saws were in operation about the Falls, viz. on the western side 4, Gooch island 4, Spring's island 4, Indian island 2, the east side 3. The treble mill on Indian island was built soon after that time. Those on Spring's island were erected by Cpts. Seth Spring and Moses Bradbury, 1794-8. There were others on the small streams in different parts of both towns. The quantity of boards sawed per day (24 hours) has been estimated at *fifty thousand feet*. The only intermission from the labor of the mills has invariably been from sunset on Saturday, to the same hour on Sunday.\* There were grist-mills on both sides of the river. A Fulling mill was built on what is now called Thatcher's creek by Capt. Bradbury, 1788 ; since removed to Spring's island. About 8000 yards of cloth are dressed in it per year. Capt. Bradbury built the first house on the island 1795, and removed to it. Soon after, Capt. Spring built his western bridge ; and, in 1797-8, the eastern one.

The manufacture of clapboards, shingles, and lathes, has been attended to at different times on a small scale. A mill is now owned by Mr. Abel Hersey, which contains machines for sawing these articles. About 70 M. clapboards and 300 M. lathes are annually turned out. Considerable quantities of staves, &c. have been, and are still furnished for the market. In the year 1826, the fol-

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\*The property in a saw consists of 24 parts called *days* ; a person owning one day is entitled to the use of the mill (if single) one day per month. One fourth of a single sawmill is 6 days ; of a double one, 12 days. The subdivisions are carried to hours and minutes.

lowing exports were made to foreign ports : 1,340,663 feet of boards ; 65,200 staves ; 276 M. shingles ; 1616 shocks and heading ; 4000 hoops. The year ending Sept. 30, 1827, the amount of lumber sawed was 21 million feet, the greatest part of which was carried to Boston, Providence, and New York.

The amount of registered tonnage in the district of Saco and Biddeford, 1820, was 1188 tons, including 248 temporary ; enrolled, 2059 ; licensed under twenty tons 116. At the present time, the registered tonnage is 2009 tons, 81 temporary ; enrolled 2250 tons ; licensed under twenty, 112 tons. The average number of tons built, per annum, during ten years ending 1829, is nearly 650 tons. The greatest amount for one year in that period, was in 1825, viz. 1679 tons.\*

By the returns made to the Legislature 1820, the amount of tillage land in Saco, was 763 acres ; mowing 3246 acres, including 193 salt marsh ; pasturage, 3459 acres. Annual products ; 6189 bus. Indian corn ; 248 bus. wheat ; 369 bus. rye ; 316 bus. oats ; 1334 bus. barley ; tons of hay : 1804 upland ; 351 fresh meadow ; 97 salt.

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\*The destruction of several fine ships in this port during the last war, by the British, is worthy of notice. June 16, 1814, the Bulwark 74, (carrying about ninety guns.) David Millne Commander, anchored  $2\frac{1}{2}$  miles east from Fletcher's Neck ; five large boats, containing about 150 men well armed, were soon after despatched from the ship, who at first landed on Stage island. After remaining there a few minutes, as if deliberating whether to ascend the river, they passed over to the Neck, where Capt. Thomas Cutts met them with a white flag, and asked the leader of the party, whose name was Seymour, his intentions. He answered—"to destroy the place." Capt. Cutts, who resided on the Neck, and had gathered much valuable property around him, then enquired if he would not negotiate for the value of the property in money ; and was referred to Capt. Millne, who soon after came ashore in his gig. The Capt. said he had positive orders to destroy property, and would accept no terms. The men in his presence set fire to the hull of a new ship, 265 tons burthen, valued at \$8000 ; cut in pieces another on the stocks, 540 tons, which with the loss of timber exceeded \$7000 ; and carried away a third, which Capt. Cutts afterwards ransomed for \$6000. All these vessels were the property of the latter. The men also entered his store and plundered from it goods to the value of \$2000. They likewise burned a small schooner, and a sloop of 50 or 60 tons, from Cape Cod. After committing this wanton and unjustifiable destruction of private property, they returned to the ship, and soon left the coast.

In Biddeford ; tillage, 456 acres ; mowing 2222 acres, including 193 salt marsh ; pasturage, 1969. Annual products ; 3108 bus. Ind. corn ; 41 wheat ; 41 rye ; 12 oats ; 1702 barley. Hay, 1203 tons upland ; 308 fresh meadow ; 116 salt.

A Post Office was established in Biddeford 1789 ; when Benjamin Hooper, Esq. was appointed Postmaster. Mr. Joseph Barnard, of Kennebunk, first carried the mail on this route, at first on horseback, afterwards in a light wagon. He was succeeded by the late Josiah Paine, Esq. of Portland, the enterprising contractor who first introduced the use of coaches with four horses into this part of the country, and effected more towards promoting the facilities of travelling in Maine than any other individual. Mr. Hooper resigned the office of postmaster 1798 ; he died 1802, at the age of eighty two. His son, Daniel Hooper, Esq. was next appointed, and on his decease in 1800, was succeeded by William P. Hooper, Esq. Until 1802, the post office was kept at the public house of Messrs. Hoopers ; in that year it was removed to Cutts's island, where it continued till 1807, when it was removed to the village in Saco. The late John Cleaves, Esq. was appointed postmaster 1810, and has had two successors in the office.

The population of Biddeford by the first census, 1790, was 1018 ; in 1800, 1296 ; 1810, 1563 ; 1820, 1738. Saco, at the same times, had the following numbers : 1352, 1842, 2492, 2532. In the summer of 1829, the writer made an enumeration of the inhabitants of Saco, and found the number to be 3712, giving an increase over the census of 1820, (which is supposed to have been inaccurately taken,) of nearly twelve hundred. Instances of longevity have occurred in both towns, some of which were of a remarkable character. In Saco three persons have died at the age of 100 years ; viz. James Miller, 1764 ; Job Hanscomb, 1777 ; and the late venerable Deacon Amos Chase, who was born at Newbury 15 January, 1718 ; and died 2 March 1818. From 1811 to 1828, forty two persons have reached or exceeded *eighty years* ; nine of whom were ninety or upwards. The number of deaths during that period, at the average of 35 per

annum, was 595. In 1815, the Rev. Mr. Cogswell computed the average number of deaths annually at 30. The oldest person known to have lived in Biddeford, was Pendleton Fletcher, who was born on Fletcher's Neck, where he died 1807, aged ninety nine years and six months. The oldest now living in that town is Daniel Tarbox, to whom the writer has been indebted for several local particulars. Daniel was born at Winter Harbor, nearly ninety years ago, and was baptized by Rev. Mr. Willard.

The amount of money annually raised by Saco for the support of schools has not much varied from \$1500, for several years, being \$500 above the sum legally required. The town is divided into nine classes or districts. Two schools are supported in the central class throughout the year, and two additional during six months. In the other classes, the terms vary according to the number of pupils. SACO ACADEMY was incorporated 16 Feb. 1811, and endowed by the State with half a township, consisting of 11,520 acres of land. In consequence of a donation of \$1000 to its funds by the late Marshal THORNTON, the Trustees gave his name to the institution. The Academy is now in a flourishing condition, under the highly approved preceptorship of Hezekiah Packard, jr. A. M. A private seminary denominated the "Classical School," is conducted by Phineas Pratt, A. M. A High School for young ladies, under the care of Miss A. Hall, was established in 1829, and continues to be liberally patronised. There are other private schools in the village, intended for a younger class of pupils.

In Biddeford, the amount of school money raised annually has not exceeded \$1200; the sum required by law is about \$700. A grammar school is supported during the greater part of the year near the Falls, and the remainder of the money is distributed among ten classes.

The following list contains the names of persons born in Biddeford and Saco, who have been liberally educated, commencing with the former town. *Harvard College.* Samuel Jordan, 1750; second son of Capt. S. Jordan; a representative of the town several years. He died of yellow fever, 1802, aged seventy three.\* John Willard,

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\*The yellow fever has been brought into the river by vessels from

1751, minister of Stafford, Conn. He received a doctorate in divinity from Yale College. Joseph Willard, 1765 ; D. D. LL. D. President of Harvard Coll. 1781-1804. Jeremiah Hill, A. M. 1787. Mr. Hill entered college 1767, and left before his class graduated. He afterwards received the usual honors. Mr. Hill was engaged for a considerable period in mercantile business ; he represented the town in the General Court several years, and was through life an active, useful and prominent citizen. He died in June, 1820, aged seventy three. James Sullivan, 1790 ; the oldest son of Gov. Sullivan. He died at Boston soon after leaving College. William Sullivan, 1792 ; LL. D. Boston. Moses Porter, 1799. Abel Lawrence Peirson, 1812 ; M. D. Salem, Mass. George Thacher, 1812 ; A. M. Saco. Grenville Mellen, 1818 ; A. M. North Yarmouth. *Bowdoin College*. Richard Cobb, 1806 ; A. M. Boston. Edward Henry Cobb, 1810 ; A. M. late of Portland. Frederic Mellen, 1823, Portland. Gorham Dean, 1825 ; a young gentleman of highly promising talents, who died at the close of his last collegiate year, in Providence, R. I. where he had gone for the benefit of his health.

SACO. *Harvard College*. Cadwallader Gray, 1784 ; a merchant at the Falls, afterwards of Buxton. James Gray, 1786. Richard Cutts, 1790 ; A. M. Washington, D. C. Gideon Tucker, 1820. *Dartmouth College*. Nathaniel Coffin, 1799 ; A. M. Wiscasset. *Bowdoin College*. Seth Storer, 1807 ; A. M. Scarborough. (Office at Saco.) William Rufus King, 1823. Daniel Tristram Granger, 1826 ; Newfield. Joseph Warren Leland, 1826. Ichabod Goodwin Jordan, 1827. John Fairfield Hartley, 1829. *Waterville College*. Albert

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the West Indies in at least three instances ; 1794, 1796, and 1802. The second time the whole number of persons who were sick, as we are informed by Dr. Porter, was 43, eleven of whom died. In June, 1802, a vessel came up to the wharf in Biddeford, with the infection on board, but it not being known for several days, many were exposed who fell victims to the disease. It soon spread throughout the neighborhood ; of sixty three cases, says Dr. Porter, fourteen proved fatal. Those who survived the fourth day after the attack, generally recovered.



Gallatin Lane, 1827; Belfast. Now in Bowdoin Coll. : George Washington Cole, William Vaughan Jordan, Seth Storer Green, Henry Gookin Storer. The number of gentlemen educated at College now resident in Saco, is fifteen; viz. five graduates of Harvard, one of Dartmouth, nine of Bowdoin.

**SACO RIVER**, (with a brief account of which we must conclude our inquiries,) is one of the largest in New England, yet being much broken in its course by falls, is not navigable to any considerable extent. It springs from three sources in the White Mountains; the branch issuing from the southwest side of the mountains, near the Notch, is considered the main stream; next to this is the middle branch, which is the smallest; and beyond is the branch called Ellis's river, which rises on the northeast side of the mountains, and after a course of about eighteen miles, unites with the main branch in the town of Bartlett. Cutler's and New rivers are mountain torrents that discharge into the Ellis. The Ammanoosuck, a branch of the Connecticut, rises within about two rods of the Saco, flowing in an opposite direction. The whole length of Saco river is estimated to be 160 miles; running in its general course SSE, and discharging into the sea in latitude 43 degrees, 28 minutes; longitude from Greenwich (London) 70 degrees, 26 minutes. The principal Falls are, the Great Falls, at Hiram, where the water descends 72 feet; Steep Falls at Limington, 20 feet; Salmon Falls, at Hollis and Buxton, 30 feet, and Saco Falls, 42 feet. The latter are about four miles from the mouth of the river. The ordinary rise of the water in the spring is from ten to fifteen feet, but in great freshets it has been known greatly to exceed that number. A long storm which occurred in October, 1785, raised the river to an immense height, sweeping away mills and bridges, and inundating houses that stood in its vicinity. In 1814, there was the greatest freshet known since that of 1785.\* At such seasons the appearance of Saco Falls

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\*The view of the Falls prefixed to this volume, represents them during a rise of the river greater than is usually experienced. It was taken from below the bank nearly opposite the Nail Factory.

is truly sublime ; and formerly, before the scenery about them was destroyed, presented a spectacle of grandeur and beauty seldom equalled. From the mouth of the river a fine beach extends to the east about five miles, (formerly the travelled road,) called Old Orchard beach. This name arose from a growth of apple trees formerly near the beach, (below the schoolhouse,) planted at a very early period ; some of them remained as late as 1770. Another beach of less extent, but not inferior in other respects, is found at the Pool, connecting Fletcher's Neck with the main and forming the south shore of that peninsula. Its distance from the Falls is about nine miles.

The small streams by which different parts of Saco are watered, generally derive their origin from an immense bog, commonly called the Heath, and flow into the river and sea. On one of these, Foxwell's brook, there is a fine waterfall, with a descent of about sixty feet, surrounded by scenery of a wild and striking character.

# APPENDIX.

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## A. p. 18.

The passage of the Dutch author, De Laet, referred to as a translation of Capt. Smith's notice of Saco river, and of the coast of Maine in general, is the following :

Ab hoc (i. e. amne Sagadehoc) versus occasum provincia Aucocisco [Casco] amplissimi sinus gremio praetenditur, multaeque insulae cum suis portibus per sinum sunt sparsae. Haud longe hinc Sowocoruck ad angulum continentis qui latum sinum aperit arenoso quidem littore sed crebris insulis et cautibus illi objectis, aditu difficilem et non nisi minoribus navigiis. Quid multa? tota haec ora a Penobscot huc usque, et longius a Pen. versus ortum, ejusmodi rupibus et saxosis insulis scatet, ut mirum sit tam procerarum arborum feracem esse, neque quisquam hic est quod intuentes non magis deterreat quam afficiat; tamen mare hic, si usquam, mire piscosum, and hae insulae tot arboribus amoenae, tot fontibus riguae, tam variis fructibus dites, tanque hic avium copia, ut non careat fide, licet littora tam aspera sint, tamen convalles et interiora Continentis facundissimo esse solo. Lib. iii. Cap. iii.

The "island of Bacchus," with which the French navigators were so much charmed, is doubtless Wood Island. At the present time, however, the vine is not found there, nor the walnut, although a great variety of growth still covers the island. Beech, Oak, Maple, Bass, (or lime tree,) Ash, Fir or Spruce, Moose wood, Pine, Hornbeam, and Birch, overspread its surface, which consists of about thirtysix acres. In summer this island is a very delightful spot, not unworthy the admiration bestowed by the French. The other islands near the mouth of the river, in what was anciently called Saco Bay, are much smaller, and nearly destitute of vegetation; Stage island, formerly called Gibbins' island, on which a monument is now erected, contains but five or six acres; Basket island about four acres; the others (Eagle and Ram islands) are still less in extent.

## B. p. 29.

Grant from the Council of Plymouth to Lewis and Bonython, now Saco.

TO ALL CHRISTIAN PEOPLE to whom this present writing indented shall come, the Council for the affairs of New England in America send Greeting in our Lord God Everlasting. Whereas, King James, of famous memory, late king of England, Scotland, France & Ireland, by his Highness's Letters Patent and Royal Grant, under the great seal of England, bearing date the third day of Nov. in the eighteenth year of his reign of England, France and Ireland, &c. for the cause therein expressed, did absolutely give, grant and confirm unto the said Council for the affairs of New England in America, and their successors forever—All the Lands of New Eng-

land lying and being from forty to forty-eight degrees of northerly latitude, and in length by all that breadth aforesaid from sea to sea, throughout the main land, together with all the Woods, Waters, Rivers, Soil, Havens, Harbors, Islands and other commodities whatsoever thereunto belonging, with divers other privileges, preheminances, profits and liberties, by sea and land, as by the said Letters Patent, amongst other things contained, whereunto due relation being had more at large, it doth and may appear.

NOW KNOW YE, that the said Council for the affairs of New England in America, as well for and in consideration that Thomas Lewis, Gent. hath already been at the charge to transport himself and others to take a view of New England in America aforesaid, for the bettering of his experience in advancing of a Plantation, and doth now wholly intend, by God's assistance, with his associates, to plant there, both for the good of his Majesty's realms and dominions, and for the propagation of Christian Religion amongst those infidels, and in consideration also that the said Thomas Lewis, together with Capt. Rich. Bonython, and also with their associates and company, have undertaken at their own proper cost and charges, to transport fifty persons thither within seven years next ensuing, to plant and inhabit there, to the advancement of the general Plantation of that country and the strength and safety thereof amongst the natives or any other invaders. Also, for the encouragement of the said Thos. Lewis and Capt. Richard Bonython and other their associates and assigns—and other good causes and considerations, the said Council thereunto moving:—Have given, granted, enfeoffed and confirmed, and by this their present writing do fully, clearly and absolutely give, grant, enfeoff and confirm unto the said Thomas Lewis and Capt. Richard Bonython, their heirs and assigns, forever, all that part of the main land in New England in America aforesaid, commonly called or known by the name of Swanckadocke, or by whatsoever other name or names the same is or shall be hereafter called or known by, situated, lying and being between the Cape or Bay commonly called Cape Elizabeth, and the Cape or Bay commonly called Cape Porpoise, containing in breadth from northeast to southwest along by the sea, four miles in a straight line, accounting seventeen hundred and three score yards, according to the standard of England, to every mile, and eight English miles upon the main land, on the North side of the river Swanckadock after the same rate, from the sea through all the breadth aforesaid, together with all the Shores, Creeks, Bays, Harbors and Coasts along the Sea within the limits and bounds aforesaid, with the woods and islands next adjoining to the said land, not being already granted by the said Council unto any other person or persons; together, also, with all the Lands, Rivers, Mines, Minerals of what kind or nature soever, Woods, Quarries, Marshes, Waters, Lakes, Fishings, Huntings, Hawkings, Fowlings, Commodities, Emoluments and Hereditaments whatsoever, with all and singular their and every of their appurtenances in or within the limits or bounds aforesaid, or to the said Land lying within the said limits or bounds belonging, or in any wise appertaining—**TO HAVE AND TO HOLD** all and singular the said lands and premises with all and singular the Woods, Quarries, Marshes, Waters, Rivers, Lakes, Fishings, Hawkings, Huntings, Mines, Minerals of what kind or nature soever, Privileges, Rights, Jurisdictions, Liberties, Royalties, and all other Profits, Commodities, Emoluments and Hereditaments whatsoever, before, in and by these Presents given and granted or herein.

mentioned, or intended to be hereby given or granted with their and every of their appurtenances and every part and parcel thereof (except before excepted) unto the said Thomas Lewis and Capt. Richard Bonython, their heirs, associates and assigns forever, to the only proper use and behoof of the said Thomas Lewis and Capt. Richard Bonython, their heirs, associates and assigns forever, yielding and paying unto our Sovereign Lord the King one fifth part of Gold and Silver Ore, and another fifth part to the Council aforesaid, and their successors to be holden of the said Council and their successors by the rent hereafter in these presents reserved, yielding and paying therefor yearly forever unto the said Council, their successors or assigns, for every hundred acres of the said land in use, twelve pence of lawful money of England into the hands of the Rent Gatherer (for the time being) of the said Council, their heirs or successors for all services whatsoever. And the said Council for the affairs of New England in America aforesaid, do by these presents nominate, depute, authorize, appoint and in their place and stead put Wm. Blackston, of New England aforesaid, Clark, William Jeffreys, and Edw. Hilton, of the same, Gent'n, and either or any of them jointly or severally to be their lawful attorney or attorneys, and in their names and stead to enter into the said part or portion of Land, and other the premises with the appurtenances by these presents given and granted, or into some part thereof in the name of the whole, and peaceable and quiet possession and seizin thereof for them to take, and the same so had and taken in their names and stead to deliver possession and seizen thereof unto the said Thomas Lewis and Capt. Richard Bonython, their heirs, associates and assigns, according to the tenor, form and effect of these presents, ratifying, confirming and allowing all and whatsoever the said attorney or attorneys or either of them shall do in and about the premises by virtue hereof. In witness whereof the said Council for the affairs of New England aforesaid have hereunto caused their common seal to be put, Given the twelfth day of February, Anno Domini 1629, and in the fifth year of the reign of our sovereign Lord Charles, by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c.

R. WARWICK.

[*seal appending*]

EDW. GORGES.

June 28, 1631. Possession, livery and seizen given and delivered by the within named Edw. Hilton, Gent. one of the Commissioners nominated by the Lords of the Council for the affairs of New England, unto the within named Thomas Lewis, Gent. in the presence and sight of the persons under named. Tho. Wiggin, James Parker, Henry Watts, George Vahun.

A true copy of the original, received April 5, 1731—

Attest, JAS. MOODY, *Register*.

Grant from the Council to Oldham and Vines, now BIDDEFORD.

TO ALL CHRISTIAN PEOPLE to whom this present writing indented shall come, the Council for the affairs of New England in America send Greeting in our Lord God Everlasting. Whereas, King James, of famous memory, late King of England, Scotland, France & Ireland, by his Highness's Letters Patent and Royal Grant, under the great Seal of England, bearing date the third of November, in the eighteenth year of his reign of England, France and Ireland, for the cause therein expressed, did absolutely give, grant and

confirm unto the said Council for the affairs of New England in America, lying and being from forty to forty-eight degrees of northerly latitude and in length by all that breadth aforesaid, from sea to sea throughout the main land, together with all the Woods, Waters, Rivers, Soils, Havens, Harbours, Islands and other Commodities whatsoever thereunto belonging, with divers other privileges, preeminences, profits and liberties, by sea and by land as by the said Letter Patents (amongst other things contained whereunto due relation being had) more at large it doth and may appear.

NOW KNOW YE, that the said Council for the affairs of New England in America, as well for and in consideration that John Ouldham, Gent. a planter in New England in America aforesaid, and others his servants have for these six years now last past lived in New England aforesaid, and for that the said John Ouldham hath heretofore, at his own proper cost and charges, transported thither and planted there divers persons and hath, for the effecting of that so good a work, undergone great labour and danger; and in consideration also, that the said John Ouldham, together with Richard Vines, Gent. and their heirs, associates and company have undertaken, at their own cost and charge, to transport fifty persons thither in the space of seven years next ensuing to plant and inhabit there to the advancement of the general Plantation of that country and the strength and safety thereof against the natives or any other invaders; and also for the better encouragement of the said John Ouldham, Richard Vines and other their associates and assigns, and other good causes and considerations the said Council thereunto moving—Have given, granted, enfeoffed and confirmed, and by this their present writing do fully, clearly and absolutely give, grant, enfeoffe and confirm unto the said John Ouldham and Richard Vines, their heirs and assigns forever, all that part of the main land in New England aforesaid commonly called or known by the name of Swanckadock, or by whatsoever other name or names the same is or shall be hereafter called or known by, situated, lying and being between the Cape or Bay commonly called Cape Elizabeth and the Cape or Bay commonly called Cape Porpoise, containing in breadth from northeast to southwest, along by the sea, four miles in a straight line, accounting seventeen hundred and three score yards. according to the standard of England, to every mile, and eight English miles up into the main-land on the south side of the river Swanckadock, after the same rate, from the sea through all the breadth of four miles aforesaid together with all the Shores, Creeks, Bays, Harbours and Coasts along the Sea within the limits and bounds aforesaid, with the Woods and Islands next adjoining to the said Lands not being already granted by the said Council unto any other person or persons, together also with all the Lands, Rivers, Mines, Minerals of what kind or nature soever, Woods, Quarries, Marshes, Waters, Rivers, Lakes, Fishings, Huntings, Hawkings, Fowlings, Commodities, Emoluments, Heriditaments whatsoever, with all and singular their and every of their appurtenances in or within the limits and bounds aforesaid, or to the said Lands lying within the same limits or bounds belonging or in any way appertaining—TO HAVE AND TO HOLD all and singular the said Lands and premises, with all and singular the Woods, Quarries, Marshes, Waters, Rivers, Lakes, Fishings, Fowlings, Hawkings, Mines, Minerals of what kind or nature soever, Privileges, Rights, Jurisdiction, Liberties, Royalties and all other Profits,

Commodities, Emoluments and Hereditaments whatsoever before in and by these presents given and granted or heren<sup>y</sup> menti<sup>o</sup>ned or intended to be hereby given or granted, with their and every of their appurtenances and every part and parcel thereof, except before excepted, unto the said John Ouldham and Richard Vines, their heirs, associates and assigns forever, to the only proper use and behoof of the said John Ouldham, Richard Vines, their heirs, associates and assigns forever, yielding and paying unto our Sovereign Lord the King one fifth part of Gold and Silver Ore, and another fifth part to the Council aforesaid and their Successors, to be holden of the said Council aforesaid and their successors, by the Rent hereafter in these presents reserved, yielding and paying thereof yearly forever unto the said Council, their successors or assigns for every hundred acres of the said Land in use, twelve pence of lawful money of England into the hands of the Rent Gatherer, for the time being, of the said Council, their successors or assigns for all services whatsoever, and the said Council for the affairs of New England aforesaid do by these presents nominate, depute, authorize, appoint and in their place and stead put William Blackston, of New England aforesaid, Clerk, William Jeffreys and Edward Hilton, of the same place, Gent<sup>l</sup>en, and either or any of them, jointly or severally, to be their true and lawful attorney or Attorneys. and in their name and stead to enter into the said part or portion of land and other the premises with appurtenances by these presents given and granted, or into some part thereof in the name of the whole, and peaceable and quiet possession and seizen thereof for them to take and the same so had and taken in their name and stead to deliver possession and seizen thereof unto the said John Ouldham and Richard Vines, their heirs, associates and assigns, according to the tenor, form and effect of these presents, ratifying and confirming and allowing all and whatsoever the said attorney or attorneys, or either of them, shall do in or about the premises by virtue hereof. In witness whereof the said Council have caused the common seal to be put, the twelfth day of February, Anno Domini 1629, in the fifth year of the reign of our Sovereign Lord Charles, by the Grace of God King of England, Scotland, France and Ireland. Defender of the Faith, &c.

Rob. Warwick, Edw. Gorges, Ferd. Gorges, Thos. Smith.

Memorandum. That possession and seizen was taken by the within named Richard Vines of the premises within granted in the presence of Mr. Isaac Allerton, Capt. Thomas Wiggin, Mr. Thomas Purchase, Capt. Nathaniel Waters, Capt. John Wright and Mr. Stephen Reeck, mariner, the 25th day of June, 1630. This is a true copy of the original Deed, recorded the 19th day of July, 1643, and examined.

Per me, ROGER GARR, *Recorder*.

I. Richard Vines, of Saco, Gent. have bargained and sold the patent above specified unto Robert Child, Esq. Doct. of Physick and given him Livery and Seizen upon the day of October, 1645, in presence of Mr. Adam Winthrop and Mr. Benjamin Gilman.

### C. p. 36.

#### BOND AND LEASE FROM VINES TO JOHN WEST.

Noverint universi per presentes me Richard Vines de Sacoe in Nova Anglia, Armigerum, teneri et firmiter obligari John West de Sacoe pri-

die Husbandman in quadraginta libris legalis monete Angliae solvendis eidem John aut suo certo attornio, executoribus, administratoribus suis ad quam quidem solutionem bene et fideliter faciendum obligo me heredes executores administratores meos firmiter per presentes Sigillo meo sigillatas datas \* \* die Octobris anno Regni Domini nostri Caroli Dei gratia Angliae Scotiae Franciae et Hibernia Regis, Fidei Defensoris, decimo, annoque Domini 1638.

[TRANSLATION. Know all men by these presents, that I, Richard Vines, of Saco, in New England, Esquire, am held and firmly bound to John West, of Saco, formerly Husbandman, in £40 legal money of England, to be paid to the said John or his attorney, executors and administrators, to makè which payment well and faithfully, I firmly bind myself, my heirs, executors and administrators by these presents. Sealed with my seal, given \* \* day of October in the tenth year of our master Charles, by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, A. D. 1638.]

Whereas the condition of this obligation is such that whereas the above bounden Richard Vines hath by his writing indented bearing date the day and year abovementioned under his hand and seal for the consideration therein mentioned, demised, granted, leased and to farm letten unto the abovementioned John West, his executors and assigns, one mansion or dwellinghouse and certain lands and grounds to the same belonging or adjoining with the appurtenances in Saco afore-said for the term of 1000 years for and under the yearly rent or farm of two shillings and one capon as by the said indentures may more fully and at large appear, now the said John West, his executors, administrators or assigns, shall and may at all and every time and times hereafter for and during said term of 1000 years lawfully, peacefully and quietly have, hold, occupy, possess and enjoy the said mansion or dwelling house, the said lands, grounds and other the premises by the said writing indented to him, demised, leased and to farm letten with all and every their appurtenances without any lett, suit, trouble, hindrance, molestation or incumbrance to be had, made or done unto him the said John West, his executors or assigns, by the said Richard Vines, his heirs or assigns, or Joan his wife, or any of them, or by Thomas Cole sometime tenant or occupier of the premises. Sealed and delivered in presence of R. Gibson, T. Williams, T. Rogers.

### D. p. 113.

A deed purporting to have been given to Rev. John Wheelwright by several Indian sagamores, 1629, is published in the Appx. to i. Belknap's Hist. N. H. The attestation of the deed is signed by "R. Vines and R. Bonython, governor and assistant of the Plantation at Saco." Mr. Savage, the able editor of Winthrop's Journal, has shown most conclusively, that the pretended deed was forged, at a much later date, after the decease of the supposed grantee. The evidence drawn from the attestation of Vines & Bonython is, however, the least satisfactory. The inhabitants of 'the Plantation at Saco' were evidently subject to a local jurisdiction (similar to that established at Exeter) at least as early as 1630, and *perhaps* earlier, before a general government existed, and who so likely to be their governor and assistant as Vines and Bonython? The mass of other testimony against the au-



thenticity of the Wheelwright deed, is sufficiently decisive. Another document in the same volume of Dr. Belknap, (a division of lands, &c.) is likewise spurious.

### E. p. 156.

"Sept. 19, 1659. *The declaration of Jane, the Indian, of Scarboro', concerning Land.*

This aforesaid Jane, alias Uphannum, doth declare that her mother, namely, Nagaasqua, wife of Wickwarrawaske, Sagamore, and her brother, viz. Ugagoquskit, and herself, viz. Uphannum, coequally have sold unto Andrew Alger and his brother Arthur Alger, a tract of land beginning at the mouth of the river called Blue Point River, where the river doth part, and so up along with the river called Owascoage in Indian and so up 3 score poles above the falls on the one side, and on the other side bounded up along with the northernmost river that dreaneth by the great hill of Abram Jocelyn and goeth northward bounding from the head of this River S. W. and so to the aforesaid bounds, viz. 60 poles above the Falls: This aforesaid Uphannum doth declare that her mother and brother and she have already in hand received full satisfaction of the aforesaid Algers, for the aforesaid their land from the beginning of the world to this day, provided that from time to time, from year to year yearly, the aforesaid Algers shall peaceably suffer Uphannum to plant in Andrew Alger's field so long as Uphannum and her mother Nagaasqua both live, and also one bushel of corn for acknowledgement every year so long as they both shall live. Uphannum doth declare that the bargain was made in the year 1651, unto which she doth subscribe. In the presence of Cook, the day and date abovewritten, Jane an Indian woman did appear before me 21 June, 1672, and acknowledge this instrument was the deed of her mother and herself. Before me, B. PENDLETON, Associate."

Andrew Augur left in all six children, three sons and three daughters, but the property chiefly descended to the heirs of John, the oldest son.

### F. p. 266.

*Anno Regni (L. S.) Regis Georgii Tertii Secundo.*

AN ACT for incorporating the East side of Saco river in the town of Biddeford into a separate District by the name of Pepperellboro'.

Whereas the inhabitants on the east side of Saco river, in the town of Biddeford, in the County of York, have represented to this Court the great difficulties and inconveniences they labour under in their present situation, and have earnestly requested that they may be invested with the powers, privileges and immunities of a District—Therefore,

Be it enacted by the Governor, Council and House of Representatives, That all the lands in the town of Biddeford lying on the east side of Saco River, in the County of York, together with an Island in the said River commonly called and known by the name of Indian Island, be, and hereby is erected into a separate and distinct District by the name of Pepperellboro', bounded with the same bounds as the town of Biddeford now is on the east side of Saco river; and that

the said District be, and hereby is invested with all the privileges, powers and immunities that towns in this Province by law do or may enjoy, that of sending a Representative to the General Assembly only excepted; and that the said District shall have full liberty and right from time to time to join the Town of Biddeford in choosing a Representative to represent them at the General Assembly, and shall be notified of the time and place of election in like manner with the inhabitants of the said Town of Biddeford, by a warrant from the Selectmen of the said town, directed to a Constable or Constables of the said District, requiring him or them to warn the inhabitants to attend the meeting at time and place assigned, which warrant shall be seasonably returned by the said Constable or Constables. And the Representative may be chosen indifferently from the said Town or District, the pay or allowance to be borne by the Town and District in proportion as they shall from time to time pay to the Province tax. Provided nevertheless, and be it further enacted, that the said District shall pay their proportion of all Town, County and Province taxes already set or granted to be raised on the Town of Biddeford aforesaid, as if this act had not been made.

And be it further enacted, That Rishworth Jordan, Esq. be, and hereby is empowered to issue his warrant to some principal inhabitant of said District, requiring him to notify and warn the inhabitants of said District, qualified by law to vote in town affairs, to meet at such time and place as shall be therein set forth, to choose all such officers as shall be necessary to manage the affairs of said district.

June 8, 1762. This Bill having been read three several times in the House of Representatives, passed to be enacted.

TIM. RUGGLES, Speaker.

June 9, 1762. This Bill having been read three several times in Council, passed to be enacted.

A. OLIVER, Secretary.

June 9, 1762. By the Governor. I consent to the enacting this Bill.

FRA. BARNARD.

A true Copy of the original Act,

EDWARD D. BANGS, Sec'y of Commonwealth.

## REPRESENTATIVES OF BIDDEFORD IN THE GENERAL COURT.

1719, Capt. H. Scamman. 1721, Pendleton Fletcher. 1747-9-5, Capt. Daniel Smith. 1754, Rev. Sam'l Hill, son-in-law of Capt. S. Jordan. Mr. Hill was settled a second time at Rochester, N. H. 1760, where he died, 1764. 1756-7, and 1760-1-2-3, Samuel Jordan. 1766-7-9, and 1770-1-2, Jere. Hill, senior. 1768, Abraham Chase.

## TOWN OFFICERS.

## SELECTMEN OF BIDDEFORD.

- 1717—Andrew Brown, Rich. Stimson, H. Scamman.  
 1718—Eben. Hill, R. Stimson, H. Scamman.  
 1719—Ebenezer Hill, Benj. Haley, H. Scamman.  
 1720—E. Hill, Pendleton Fletcher, H. Scamman.  
 1721—H. Scamman, Abraham Townsend, E. Hill.  
 1722—A. Townsend, E. Hill, H. Scamman.  
 1723—H. Scamman, E. Hill, John Davis.  
 1724-5—H. Scamman, E. Hill, A. Townsend.  
 1726—E. Hill, A. Townsend, H. Scamman.  
 1727—Sam'l Jordan, E. Hill, A. Townsend.  
 1728—Benj. Haley, A. Townsend, John Gordon.  
 1729—S. Jordan, Lt. John Stackpole, H. Scamman.  
 1730—H. Scamman, Capt. S. Jordan, J. Stackpole.  
 1731—H. Scamman, E. Hill, Richard Stimson.  
 1732-3-4—Records deficient.  
 1735—Rob. Patterson, Rob. Edgecomb, John Davis.  
 1736—E. Hill, J. Davis, R. Patterson.  
 1737-8-9—John Gray, Esq. J. Stackpole, S. Jordan.  
 1740—S. Jordan, J. Stackpole, H. Scamman.  
 1741—E. Hill, S. Jordan, J. Stackpole.  
 1742—E. Hill, Rishworth Jordan, Samuel Scamman.  
 1743—J. Gray, S. Jordan, A. Townsend, R. Patterson, J. Davis.  
 1744—J. Gray, R. Jordan, E. Hill, R. Patterson, Robert Brooks.  
 1745—J. Gray, E. Hill, R. Patterson, R. Jordan, Dominicus Scamman.  
 1746—R. Jordan, Thos. Emery, Chrisp Bradbury, J. Stackpole, jr., S. Scamman, jr.  
 1747—J. Gray, R. Jordan, R. Brooks, S. Scamman, jr., C. Bradbury.  
 1748—J. Gray, Capt. Dan'l Smith, R. Jordan, C. Bradbury, S. Scamman.  
 1749—J. Gray, J. Davis, R. Jordan, S. Scamman, jr. James Scamman.  
 1750—R. Jordan, S. Scamman, J. Scamman, Jos. Dyer, Jno. Stackpole, jr.

1751—R. Jordan, J. Scamman, S. Scamman, jr., J. Stackpole, jr., Jos. Dyer.

1752-3—R. Jordan, Esq., S. Scamman, jr., J. Scamman, Jos. Dyer.

1754—R. Jordan, S. Scamman, jr., Trist. Jordan, J. Dyer.

1755-6—R. Jordan, S. Scamman, J. Dyer, T. Jordan, E. Hill, jr.

1757-8—Capt. T. Jordan, J. Dyer, Amos Chase, Benj. Hooper, Jere. Hill.

1759—J. Dyer, B. Hooper, J. Hill, A. Chase, Ebenezer Ayers.

1760-1-2—S. Jordan, Capt. T. Jordan, A. Chase, J. Dyer, J. Hill.

*(Separation of the towns.)*

1763-4-5-6—R. Jordan, S. Jordan, J. Hill.

1767—R. Jordan, J. Hill, Benj. Nason.

1768-9-70—R. Jordan, J. Hill, B. Hooper.

1771—R. Jordan, Obed Emery, E. Hill.

1772-3-4—R. Jordan, J. Hill, Benj. Hooper.

1775-6—R. Jordan, Jos. Stimson, Allison Smith.

1777—R. Jordan, B. Hooper, B. Nason.

1778—A. Smith, R. Jordan, Jos. Morrill.

1780—John Dyer, A. Smith, B. Nason.

1781—R. Jordan, Capt. B. Hooper, James Emery.

1782-3—R. Jordan, B. Hooper, A. Smith.

1784-5—A. Smith, John Dyer, Rob. Gillpatrick.

1786-7—R. Jordan, B. Hooper, J. Emery.

1788—A. Smith, R. Gillpatrick, Josiah Hill.

TOWN CLERKS.

1717-34—Humphry Scamman.

1734-41—Samuel Jordan.

1741-80—Rishworth Jordan.

1780-88—Jeremiah Hill, Esq.

SELECTMEN OF SAGO.

1762-6—Trist. Jordan, Amos Chase, Rob. Patterson.

1767-8—T. Jordan, Thos. Cutts, Jos. Libby.

1769—T. Jordan, A. Chase, J. Libby.

1770—A. Chase, J. Libby, R. Patterson.

- 1771—T. Cutts, A. Chase, T. Jordan.  
 1772-3—A. Chase, T. Jordan, R. Patterson.  
 1774-9—A. Chase, T. Jordan, Dea. Sam'l Scamman.  
 1780—Maj. Humph. Pike, Rich. Burke, Rob. Carll.  
 1781-3—Dea. Sam'l Scamman, Rich. Burke, H. Pike.  
 1784-6—Dea. Sam'l Scamman, Col. Humph. Pike,  
 Capt. Joseph Bradbury.  
 1787—Dea. S. Scamman, Col. H. Pike, S. Boothby.  
 1788—Dea. S. Scamman, James Coffin, H. Pike.

## TOWN CLERKS.

- 1762-88—Tristram Jordan. 1788-96—Humph. Pike.
- 

The TREASURERS of Saco, from the incorporation to the present time, have been the following : Ebenezer Ayer, 1762 to 1771 ; Col. Thomas Cutts, 1772 to 1793 ; Deacon Samuel Scamman, 1794 to 1814 ; Capt. Sam'l Moody, 1814 to 1819 ; Hon. William Moody, 1819 to 1822 ; Daniel Granger, Esq. 1822 to 1824 ; Jonathan Tucker, jr. 1824 to 1830. The average tax for many years was £170, or \$566 66 per annum. For the last ten years the town has raised about \$5000 annually, exclusive of the highway tax.

## ADDITIONS.

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The following document, with which the writer was favored too late for its proper place, confirms the truth of what is said in the first part of this work, in relation to the grantees of the Plough Patent.

“TO THE HON. GEN. COURT, NOW SITTING AT BOSTON, DEC. 1683 :

The humble petition of Jeremiah Dummer sheweth, That whereas your petitioner's father, Richard Dummer, deceased, was *u holly* entrusted with the Plough Patent, and the management of sundry concerns relating to the same, by virtue of a power derived from the patentees, therein disbursed sundry sums of money, and afterward the said Patent being ordered home for England, the said Patentees, in consideration of his, the said Richard Dummer's trouble and charge in the management of their concerns about said Patent, granted unto him 800 and odd acres of land, which was laid out at Casco Bay, as by evidences do appear :

Your Petitioner therefore humbly prays, that this hon. Court will please to confirm the said lands to the heirs of the said Richard Dummer, with such an addition as this hon. Court shall see meet. So shall he pray, &c.

JEREMIAH DUMMER.”

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The remark quoted on p. 126, from the argument of Hon. Mr. Savage against the authenticity of the Wheelwright deed, was not intended to have the latitude there given to it, as we are now satisfied. The drift of that part of the argument is, that it appears incredible that five men and *no others* should be found on a particular spot for ten years after their first settlement in the country ; incredible that their number should not have been reduced by death or *migration*, or increased by fresh settlers. The general remark, “In no instance,” &c. taken in this restricted sense, is by no means at variance with what is known respecting our colonists.

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It is stated p. 161, chap. xii., that some of the inhabitants removed in the time of Philip's war. By the kindness of a gentleman to whose friendly suggestions the writer has been often indebted, the following names of persons admitted inhabitants of Salem 1776, have been furnished : John Elson, Walter Mare, Arthur Wormstall, William Frost, Arthur Hewes, Goodman Sille, Symeon Booth, Walter Penniwell, Gyles Ebbins [Hibbins], Elizabeth Wakefield, Humphry Case ; all, it appears, from Winter Harbor.

## CORRECTIONS.

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The reader is desired to make the following corrections : P. 27, l. 6, for *Impe*, read *Iupe* or *Jupe* ; some editions of Hubbard have it *Lupe*. P. 65, l. 18 from bottom, it is wrongly stated that the son and grandson of Sir F. Gorges inherited his *title*. The error is repeated pp. 145—202. For *Benjamin*, read *Brian*, p. 86, l. 13. Maj. Pendleton uniformly wrote *i* in his baptismal name, and not *y*. For *rock* read *neck*, p. 105, l. 10. In some copies, p. 128, l. 6, for *Edward*, read *Edmund* ; and on same page, l. 22, for *Barton* read *Barlow*. P. 130, l. 3 from bottom, for 1675 read 1665. P. 164, l. 34, for 1766 read 1676. P. 180, l. 30, for 1655 read 1653. P. 182, l. 5 from the bottom, for "*in the part of ancient Pemaquid,*" &c. read, at a small settlement near the mouth of the Kennebec, now Phippsburg. Sir William was employed in shipbuilding in what is now Alna, according to a tradition of the place. P. 201, l. 13, the date of the first settlement at Pemaquid should be 1625. P. 239, l. 14, the time of deacon Hill's decease is wrongly stated—having been several years later. Being infirm, he resigned his office in the church that year (1748). P. 250, l. 14 ; Mr. Foss married Olive Smith, not *Cole*, as there stated. P. 297, l. 28, a few copies have 1703 instead of 1793, the true date. P. 315, l. 13, for *and* read *et*.





# NAMES OF SUBSCRIBERS IN SACO AND BIDDEFORD.

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 Andrews Asa  
 Ayer Tristram  
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 Banks Horace  
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 Hight Elisha  
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 Johnson Charles C. P.  
 Jordan Tristram  
 Jordan Ichabod  
 Jordan Samuel S.  
 Jordan Tristram, jr.

\*Died July 30, 1829.

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 Jordan Ichabod G.  
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 Knight Edward  
 Leavitt Hill  
 Leland Joseph  
 Leland Joseph W.  
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### BIDDEFORD.

TOWN OF BIDDEFORD, 50 copies

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 Cole Samuel  
 Cutts Thomas, 2

Cutts Dominicus, 2  
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 Deshon Daniel  
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